

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30234 of 2017

Arising Out of PS.Case No. -89 Year- 2015 Thana -ANDHRAMATH District- MADHUBANI

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1. Raj Kumar Mandal Son of Late Ram Lakhan Mandal resident of Village -
Dakahi, P.S. - Andhramath, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 12-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Andhra
Math P.S. Case No. 89 of 2015 registered for the offences
punishable under Sections 399, 400, 402, 414 of the Indian Penal
Code and Section 25(1-b)A, 26 and 35 of the Arms Act

Allegedly, 5 persons were apprehended when they
were trying to flee away on tractor and from possession of one co-
accused Mukesh Yadav, loaded country made pistol was
recovered and he confessing his guilt, stated that they were going
after selling the potato which was stolen one and the potato is kept
at the house of the petitioner and thereafter, raid was conducted at



the house of the petitioner and then 50 bags of potato each containing 50 Kg. were recovered from a hut type house of the petitioner.

Submission is of false implication and that petitioner has got no concern with the recovered potato. The same has not been recovered from conscious possession of the petitioner or from his house rather the same was recovered from the hut, outside the house, which can be used by any one. All the arrested accused persons have been allowed bail and the petitioner is suffering in custody since 21.03.2017, having no criminal antecedent.

The learned A.P.P. fairly submits that all the five arrested accused persons have been allowed bail.

In the facts and circumstances stated above, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Jhanjharpur in connection with Andhra Math P.S. Case No. 89/2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on



his part without any reason shall disentitle the petitioner from
privilege of bail.

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(Jitendra Mohan Sharma, J)

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