

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65152 of 2018

Arising Out of PS. Case No.-80 Year-2013 Thana- LODIPUR District- Bhagalpur

Sintu Mandal Son of Ramjee Mandal Resident of Village- Milki, P.S. Sahkund, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh
For the Opposite Party/s : Smt. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 380 and 457 of the IPC.

The prosecution case as per the written report of Kama Devi submitted to the SHO, Lodipur Police Station is to the effect that on 6.11.2013 in the night the informant was sleeping with children when at mid night she heard some clattering sound of household articles and woke up. The informant thereafter saw that co-accused Pramod Mandal, Bihari Mandal, petitioner Sintu Mandal and one unknown are going out of her house. The informant raised alarm and thereafter the daughter of the informant woke up and they also identified all the accused persons. Subsequently, they



found that silver jewellery and Rupees Eleven Thousand has been taken away by the accused persons from the house of the informant.

It is submitted by learned counsel for the petitioner that the petitioner is neighbour of the informant. It is further submitted that the informant's husband took Rupees Thirty Thousand as loan from the father of co-accused Bihari Mandal and when he demanded his money back, the informant has lodged this case against the petitioners as a retaliatory measure. It is further submitted that co-accused Bihari Mandal has been granted anticipatory bail vide order dated 13.1.2015 passed in Cr. Misc. No. 29647 of 2014.

Considering the above facts, particularly the fact that similarly situated co-accused has been granted anticipatory bail by a Bench of this Court, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM II, Bhagalpur, in connection with Lodipur P.S. Case No.80 of 2013 subject to the conditions laid down in Section 438(2) of the Cr.P.C.



However, since the case was registered in 2013 and the present anticipatory bail has been preferred on 25.10.2018, the learned court below will be at liberty to cancel the bail bonds of the petitioner in case he defaults on three consecutive occasions.

(Dinesh Kumar Singh, J)

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