

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74242 of 2018

Arising Out of PS. Case No.-380 Year-2018 Thana- LAKHISARAI District- Lakhisarai

Bishnu Mandal Son of Anil Mandal, Resident of Village- North Begamganj,
P.S.-Radha Nagar, Distirct-Sahebganj (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra
For the Opposite Party/s : Mr. Smt. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Lakhisarai (Kabaiya) P.S. Case No. 380 of 2018 registered
for the offence punishable under Sections 461, 379, 427 of the
Indian Penal Code.

Allegation against petitioner is of committing theft in
the shop of informant and took away the boxes of mobile set
worth Rs. 18 lacs and some accessories like power bank, blue
tooth, memory charger worth Rs. 2 lacs and Rs. 73,500/- FIR is
against unknown.

It has been submitted on behalf of the petitioner that
petitioner is not named in the FIR and has been falsely
implicated in this case. Nothing has been recovered from his



possession. It has been further submitted that other co-accused persons whose involvement was found in theft of mobile shop have been granted bail by the court below itself. Petitioner has no criminal antecedent and he is in custody since 29.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai (Kabaiya) P.S. Case No. 380 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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