

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9034 of 2019**

Arising Out of PS. Case No.-794 Year-2018 Thana- FORBESGANJ District- Araria

AMIT KUMAR MANDAL, S/o Suraendra Mandal @ Surendranath Mandal,  
Resident of Village- Fauji Colony, Ward No. 04, Forbesganj, P.S.- Forbesganj,  
District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhijeet Gautam, Adv.  
For the Opposite Party/s : Smt. Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      15-02-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is languishing in custody since 22.10.2018 in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

It is alleged that the informant parked his motorcycle to a certain place and went to the market but it was found missing, leading to registration of FIR against unknown. The name of the petitioner sprang up during investigation.

It is submitted by learned counsel for the petitioner that only on the basis of suspicion, the accusation has been levelled against the petitioner. It is further submitted that on the basis of the confessional statement of the petitioner, co-



accused Brahmdev Mandal and Lalu Kumar Mandal have been apprehended and the stolen motorcycle was recovered from the house of co-accused Brahmdev Mandal. It is further submitted that the petitioner is accused in three other cases of similar nature, but in all those cases, he has been remanded after being made accused in the present case and the investigation has already been concluded.

Learned APP for the State submits that the petitioner 's name sprang up during investigation.

Considering the fact that the recovery has not been made from the conscious physical possession of the petitioner and the investigation being concluded, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Araria in connection with Forbesganj P.S. Case No. 794 of 2018.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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