

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25914 of 2019

Arising Out of PS. Case No.-13 Year-2016 Thana- SUIYA District- Banka

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Santosh Mandal Son of Matuki Mandal @ Matuki Sah Resident of Village -
kathoun, Mandal Tola, P.S.- Katoria, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 15-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 395, 397 of the Indian Penal Code.

The prosecution case in short is near Jilebiya More,
miscreants having armed with weapons, stopped the vehicles
and looted ornaments and cash from the passengers.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The petitioner is in custody since 16-02-2017.
Charge sheet has already been submitted. The petitioner is not
named in the FIR. His name transpired in this case on the basis
of confessional statement of co-accused. There is no recovery of
any incriminating article from possession of the petitioner. He



has not been put on test identification parade. The stage of the case was called for. From perusal of the report, it appears that charge has been framed on 17-08-2017 but not a single prosecution witness has been examined till date. Hence there is no likelihood of the trial being concluded in near future.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-Ist, Banka in connection with Sessions Trial No. 375 of 2017 arising out of Suiya P.S. Case No. 13 of 2016.

(Sudhir Singh, J)

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