

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26490 of 2019

Arising Out of PS. Case No.-196 Year-2018 Thana- BIHPUR District- Bhagalpur

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1. Amit Mandal, S/o Lakshman Mandal @ Laddu Mandal, R/o village- Bhramarpur (Satiyara), P.S.- Bihpur, District- Bhagalpur
 2. Rajaram Mandal, S/o Late Chhatish Mandal, R/o village- Bhramarpur (Satiyara), P.S.- Bihpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-06-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 395 and 397 of the Indian Penal Code.

The F.I.R. of the occurrence of *dacoity* would reveal that there is no eyewitness of the occurrence. Only suspicion is there against the petitioners and some other co-accused.

Submission is that petitioners are in custody since 28.09.2018 and 26.06.2018 respectively. Investigation of the case is already complete. They were neither put on Test Identification Parade nor any incriminating articles were



recovered from their possession and co-accused Gujo Paswan @ Gunjan Paswan has already been allowed bail by a Co-ordinate Bench of this Court in Criminal Misc. No. 11555 of 2019. Only criminal antecedent cannot be a ground to detain the petitioners further in custody.

Considering the facts aforesaid, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sessions Trial No.805 of 2018 arising out of Bihpur (Jhandapur) Police Station Case No.196 of 2018, subject to condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below and the petitioners shall fully co-operate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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