

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29431 of 2019**

Arising Out of PS. Case No.-159 Year-2018 Thana- SANHAULA District- Bhagalpur

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SUNIL MANDAL Son of Hari Mandal Resident of Village- Tarar, P.S.-
Sanhaura, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha, Adv.

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 15-05-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
05.12.2018 in connection with Sanhaura P.S. Case No. 159 of
2018 for offences punishable under Sections 384, 386, 401/34 of
the Indian Penal Code.

The prosecution case as lodged by the police
personnel is that on secret information that some miscreants are
looting money from truck driver at a lonely place, the police
conducted a raid and apprehended the petitioner along with two
others. On search from the co-accused Deepak Kumar one
country made pistol with one live cartridge loaded and eight



cartridges separately was found in his pant pocket. On search from the petitioner and co-accused Ranjit Mandal nothing was recovered.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that no incriminating article has been recovered from his possession and one of the co-accused on similar allegation has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 14155 of 2019 dated 08.03.2019.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and one more case although for different offence is pending against him.

Considering the nature of allegations, materials on record and that on similar allegation one of the co-accused has been granted the privilege of bail, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Sanhaura P.S. Case No. 159 of 2018, subject to the condition that one of the bailors would be close relative of



the petitioner having sufficient immovable properties, who will
file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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