

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79615 of 2018**

Arising Out of PS. Case No.-35 Year-2018 Thana- MADHEPUR District- Madhubani

Sharwan Mandal @ Sharwan Kumar Mandal Son of Ganga Prasad Gupta @
Ganga Mandal Resident of Village - Belhi Mahadmanth, P.S.- Andharmath,
District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Sri Kumar Virendra Narayan

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

7 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 and 27 of the Arms
Act.

The prosecution case in short is that the accused persons
looted away cash Rs. 13,00,000/- and mobile from employees of
Mathlanchan Petrol Pump, Madhepur. It is also alleged that with
a view to create terror, the miscreants fired.

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 17-06-2018. 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 petitioner has remained in custody for about a year.

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 Sri A. S. Prasad, learned Judicial Magistrate-Ist Class, Jhanjharpur at Madhubani in connection with Madhepur P.S. Case No. 35 of 2018.

(Sudhir Singh, J)

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