

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13075 of 2020

Arising Out of PS. Case No.-240 Year-2019 Thana- KHARIK District- Bhagalpur

PANKAJ MANDAL Son of Natho Mandal @ Nathan Mandal R/o Village-
Laxminia, P.S.-Rupouli, District-Purnea.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Rajesh Kumar Pandey, Advocate.
For the State	:	Ms. Pronoti Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-07-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with
Kharik P.S. Case No.240 of 2019 registered under Sections 392
and 395 of the Indian Penal Code, pending in the court of the
Additional Chief Judicial Magistrate-I, Naugachia, District-
Bhagalpur.

The accusation is that on 20.09.2019 at about 08.30
P.M., when the informant Vishnudeo Singh was going to
Naugachia boarding on the motorcycle with a drum of 20 liters
milk, in the way, 4 persons, covering their faces, suddenly, came
near the informant. When the informant raised objection, then
they demanded the key of his motorcycle giving threatening of



dire consequences and, thereafter, all moved with the motorcycle of the informant. They also snatched cash Rs.1000/- from the informant.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R. and has no criminal antecedent. In course of investigation, the name of the petitioner surfaced in the confessional statements of the co-accused Bijay Kumar Mandal and Rupesh Kumar Mandal, who have already been granted the privilege of bail.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner to grant him the privilege of pre-arrest bail submitting that the motorcycle of the informant was recovered from the possession of the co-accused Bijay Kumar Mandal, who disclosed the name of the petitioner as his associate.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. Accordingly, the prayer of the petitioner for grant of privilege of pre-arrest bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be



considered by the trial court in accordance with law without
being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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