

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12833 of 2020

Arising Out of PS. Case No.-6 Year-2020 Thana- PRANPUR District- Katihar

1. Suraj Mandal Son of Premlal Mandal Resident of Village- Kala Bari, P.S.- Azamnagar, District- Katihar.
2. Samor Mandal @ Samar Mandal Son of Soyatal Mandal Resident of Village- Kali Tola, Mani Chowk, P.S.- Mamchowk, District- Malada (W.B.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-06-2020 The matter has been taken up through virtual court proceeding.

The petitioner, who is languishing in custody since 10.01.2020, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 393 of the IPC.

The prosecution case, as per the written report of Munna Mustak @ Guddu, submitted to the S.H.O., Pranpur Police Station is to the effect that on 08.01.2020, the informant after taking Rs. 70,000/- from his friend, was returning to his village, Dhabol when three miscreants intercepted him and tried to rob him. The informant identified all the three miscreants,



including the petitioners.

From perusal of the pleadings made in the petition, it appears that the accusation is not specific against the petitioners and due to old enmity, the petitioner has falsely been roped in the present case. In fact, no robbery ever took place. The investigation has already been concluded and the petitioner is languishing in custody since 10.01.2020. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners along with other co-accused person tried to rob the informant and they were identified by the informant.

Considering the nature of accusation, period under custody and investigation already being concluded, coupled with the fact that the petitioners are not having any criminal antecedent, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned ACJM, Katihar in connection with Pranpur P.S. Case No. 06 of 2020.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy



of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned ACJM, Katihar in connection with Pranpur P.S. Case No. 06 of 2020.

The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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