

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27077 of 2020

Arising Out of PS. Case No.-268 Year-2018 Thana- MOUZAHDIPUR District- Bhagalpur

SHUSHIL KUMAR MANDAL @ SAHIL MANDAL Son of shri Umesh Mandal Resident of Village - Ganeshpur Tilpuliya, P.S. - Jagdishpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the State : Mr. Nandkishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-10-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Section 395 of the Indian Penal Code.

Allegedly, five miscreants entered the house of informant. The informant was asked by the miscreants to open the Almirah. It is alleged that the miscreants took away two packets of Rs. 20/-, twenty



notes of Rs. ,2000/- cash, 50 notes of Rs. 100/-, Gold coins and silver coins. Keeping all the articles in a bag, they fled away.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 27-06-2019. Charge sheet/Prosecution report in this case 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 Kapil Yadav. The petitioner has not been put on test identification parade to ascertain his participation in the alleged occurrence.

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 of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Fast Track Court No. 1st, Bhagalpur in connection with Sessions Trial No. 469 of 2019 arising out of Mojahidpur (Babarganj) P.S. Case No. 268 of 2018.

(Sudhir Singh, J)

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