

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18641 of 2021

Arising Out of PS. Case No.-326 Year-2020 Thana- PARBATTa District- Khagaria

1. Pradeep Mandal, Son Of Dayanand Mandal, R/O Village-Nayadaon, Godiyashi, P.S. Parbatta , District Khagaria
2. Diwakar Kumar, Son Of Pramod Mandal, R/O Village-Nayadaon Godiyashi, P.S- Parbatta, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 29-10-2021 Today being Friday, matters are being taken up through virtual mode as per current procedure for hearing.

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

The petitioners seek bail in connection with Parbatta P.S. Case No.326 of 2020, G.R. No.2581/2020 instituted for the offence punishable under Section 379 of the Indian Penal Code.

One Vinay Mandal has allegedly been apprehended by the informant while two persons fled away with her motorcycle. It is alleged that the petitioners are other two who were fleeing away.



Counsel for the petitioners submits that it is out and out a false case. There is a dispute between the prosecution party and the petitioners, which has arisen in business dealing as traders in fish. They have no criminal antecedents. Petitioner Nos.1 and 2 are in custody since 05.10.2020 and 07.09.2020, respectively.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioners' counsel. Prayer for bail of the petitioners is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the court of learned A.C.J.M.-I, Khagaria, in connection with Parbatta P.S. Case No.326 of 2020, G.R. No.2581/2020, subject to the following conditions:

- (i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is



related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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