

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25602 of 2021

Arising Out of PS. Case No.-68 Year-2020 Thana- DANDKHORA District- Katihar

SHEKHAR KUMAR MANDAL SON OF BRAJKISHOR MANDAL
Resident of Village - Ghoghra, P.S.- Dandkhora, Distt.- Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Ms.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-10-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Ms. Renu Kumari, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Dandkhora P.S. Case No. 68 of 2020 registered for the offences punishable under Sections 461, 379 of the Indian Penal Code. He is in custody since 28.07.2020. He has two criminal antecedents as per paragraph '3' of the petition.

As per the prosecution story, on 10.07.2020 at 08:30 P.M., the informant collected Rs.22,010/- and was returning to Bastaul, in the way it was raining and he stopped under the tree after parking his motorcycle. After some time when the informant went near his motorcycle, he found the dicky of



motorcycle broken and the cash, mobile etc. were found missing.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case on mere suspicion. It is submitted that there is no recovery of any looted article from the possession of the petitioner. The petitioner is in custody since 28.07.2020.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the petitioner has remained in custody since 28.07.2020 and it appears from the observations made in the impugned order that while directing the learned trial court to conclude the trial within 60 working days from the first date fixed for prosecution evidence, the learned Incharge Sessions Judge, Katihar had granted liberty to the petitioner to move afresh after 60 working days, the submission being that the petitioner has remained in jail for one year three months approximately, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in



connection with Dandkhora P.S. Case No. 68 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

