

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.29123 of 2021**

Arising Out of PS. Case No.-53 Year-2020 Thana- MALAYPUR District- Jamui

RAJESH KUMAR MANDAL @ RAJESH KUMAR DANGI S/o Late  
Krishndeo Mandal R/o village- Gugaldih, P.S.- Barhat, District- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Kanhaiya Kishore , App.100

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA  
ORAL ORDER**

4      14-12-2021                      Let the defect(s), if any, as pointed out by the Office,  
  
be removed within four weeks of start of normal functioning of  
  
the physical Court.

A supplementary affidavit has been filed on behalf of  
the petitioner stating therein that the petitioner is acquitted in Cr.  
Appeal No. 01 of 2021 vide Judgement dated 29.06.2021 before  
the court below.

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

The petitioner seeks regular bail in connection with  
Malaypur P.S. Case No.53 of 2020 registered for the offence  
under Section 392 of the IPC.

As per prosecution case, Rs.18,700 and one mobile  
set snatched by the accused persons.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that petitioner has one criminal antecedent (Cr. Appeal No.01 of 2021) but during the pendency of the bail petition, the petitioner has acquitted before the court below in the aforesaid case. He further submits that nothing has been recovered from the conscious possession of the petitioner and petitioner is not named in the FIR. He further submits that till date, no Test Identification Parade has been done. Petitioner is in custody since 18.12.2020.

However, learned APP for the State vehemently opposed the prayer for regular bail and submitted that petitioner has one criminal antecedent.

Considering the period of custody of the petitioner as well as the aforesaid facts, the above named petitioner is directed to 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 Chief Judicial Magistrate, Jamui in Malaypur P.S. Case no. 53 of 2020 with following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(iii) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(iv) 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.

**(Rajesh Kumar Verma, J)**

brajesh kumar/-

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