

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30143 of 2021

Arising Out of PS. Case No.-153 Year-2020 Thana- KATIHAR MUFFASIL District- Katihar

1. Kamlesh Kumar Mandal S/O Ram Bilash Mandal R/O Sakraili, P.S.-Dandkhora, District-Katihar
2. Pawan Kumar S/O Nageshwar Mandal R/O-Jhawa, P.S-Dagaruwa, District-Purnia.

... .. Petitioners

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-10-2021 Heard learned counsel for the petitioners and the State.

Petitioners prays for grant of regular bail in a case registered for the offence punishable under section 392 of the Indian Penal Code.

As per the prosecution case, after collecting money from the villages, the informant, who is said to be a Field Worker in a Company, proceeded to Katihar on his motorcycle. Meanwhile, he was intercepted by the motorcycle borne accused persons and they snatched the key of his motorcycle and took away total amount of Rs.62,000/-.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to local politics. Petitioners are in custody since 24.7.2020.



Learned counsel appearing for the State opposes the prayer for bail. He submits that during course of investigation on the confessional statement of petitioner no.1 looted articles have been recovered from his house.

Considering the rival submissions of the parties and the materials available on the record, let the petitioner no.2 Pawan Kumar be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge IV, Katihar in Sessions Trial No. 15/2021 on the following conditions:-

(1) 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.

(2) 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.

In view of the fact that on the confessional statement of petitioner no.1 looted articles have been recovered from his



house, prayer for bail of petitioner no.1 Kamlesh Kumar Mandal
is refused.

(Prabhat Kumar Singh, J)

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