

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37294 of 2020

Arising Out of PS. Case No.-18 Year-2020 Thana- BASANHI District- Saharsa

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Dharmendar Mandal@Dharmendra Mandal son of Late Basho Mandal
Resident of Village- Dotara, Ward No. 13, P.S.- Basanahi, District- Saharsa
(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anant Kumar 1, Adv.

For the Opposite Party/s : Mr.Bharay Lal, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-02-2021 Heard the learned counsel for the petitioner and

Shri Bharat Lal, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with

Basanahi P.S. Case No. 18 of 2020 for the offence punishable

under Section 392 of the Indian Penal Code.

The allegation is regarding unknown miscreants

having intercepted the informant and looted his mobile phone

and motorcycle.

The learned counsel for the petitioner has

submitted that the petitioner is innocent, has been falsely

implicated in the present case and is languishing in custody

since 27.07.2020. The learned counsel for the petitioner has

further submitted that no Test Identification Parade has been



held so as to connect the petitioner with the alleged occurrence,
hence, the petitioner be granted the privilege of bail.

Per contra, the learned Additional Public
Prosecutor has vehemently opposed the prayer for regular bail,
made by the petitioner.

Having regard to the facts and circumstances of the
case, considering the submissions made by the learned counsel
for the parties and taking into account the fact that no test
identification parade has been held so as to connect the
petitioner with the alleged crime and the petitioner is
languishing in custody since 27.07.2020, I deem it fit and proper
to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed
to be released on regular bail on furnishing bail-bonds of Rs.
10,000/- with two sureties of the like amount each to the
satisfaction of learned A.C.J.M.- III, Saharsa in connection with
Basanhi P.S. Case No. 18 of 2020.

(Mohit Kumar Shah, J)

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