

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39199 of 2020

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

Manoj Mandal @ Manoj Kumar Mandal, Son of Bhumeshwar Mandal,
Resident Of Village- Sakraili, P.S.- Dandkhora, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jibendra Mishra, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Muffasil
P.S. Case No.153 of 2020 (G.R. No.2539 of 2020) for the
offence punishable under Section 392 of the Indian Penal Code.

After collecting money from the villages, the
informant, who is said to be a Field Worker in a Company, has
proceeded to Katihar on his motorcycle and it is alleged that he
was intercepted by the accused persons riding on a motorcycle.
They have allegedly snatched the key of his motorcycle and
took away the money.

Petitioner's counsel submits that co-accused
Kamlesh Kumar Mandal was apprehended. The petitioner's
name has surfaced in the confessional statement of this co-



accused. Such implication has no sanctity in the eyes of law, apart from the fact that even in his statement Kamlesh Kumar Mandal has not stated about the petitioner's participation in the instant loot. The petitioner is in custody since 24.07.2020 and has no criminal antecedents. There is also no recovery nor any incriminating material nor he has been put on T.I. Parade.

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

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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 the learned Judicial Magistrate 1st Class No.II, Katihar, in connection with Muffasil P.S. Case No.153 of 2020 (G.R. No.2539 of 2020), subject to the following conditions:

(i) 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.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's 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)

PNM

U		T	
---	--	---	--

