

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6472 of 2021

Arising Out of PS. Case No.-7 Year-2020 Thana- KURSAILA District- Katihar

Sonu @ Sunil Mandal @ Sonu Mandal Son Of Late Matru Mandal R/o-
Tingharia, P.S.- Kursela, 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 : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-04-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner 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, when the informant along with his driver was going to Jamalpur, Munger after loading 150 bags of potato on his tractor, three unknown miscreants overpowered them and fled away with the loaded tractor towards Kursela. They also snatched mobile phones and cash Rs.12,000/-.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has come in



this case on the basis of confessional statement of co-accused Saurabh Kumar Yadav who has already been enlarged on bail vide order dated 16.9.2020, passed in Cr.Misc.No. 19614 of 2020. No incriminating material has been recovered from the conscious possession of the petitioner. Test Identification Parade has not been carried out till date. Petitioner has claimed clean antecedent and he is in custody since 6.8.2020.

Considering the facts and circumstances of the case and the fact that no incriminating material has been recovered from the conscious possession of the petitioner and the petitioner has got clean antecedent, let the petitioner, mentioned above, 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 Chief Judicial Magistrate, Katihar in Kursela Police Station Case No. 7 of 2020 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.

(Prabhat Kumar Singh, J)

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