

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6181 of 2021

Arising Out of PS. Case No.-240 Year-2020 Thana- BANKA District- Banka

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Sattan Mandal @ Satto Mandal @ Rajkumar Mandal, aged about 19 years,
Male, Son of Bateshwar Mandal, Resident of Village - Vijay Nagar, P.S.-
Banka, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar, Adv.

For the Opposite Party/s : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 21-08-2021 In view of the sudden resurgence of Covid-19 infection,

there is limited functioning of the High Court and, therefore, the

matter has been listed today for consideration through virtual

mode.

Learned counsel for the petitioner is expected to honour

his undertaking given in the instant case for depositing the

requisite court fee and to remove the defects as pointed out by

office when called upon to do so by the office.

Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner seeks bail in Banka PS Case No. 240 of

2020, instituted for the offence under Section 392 of the Indian

Penal Code.



It is the prosecution case that the informant has been looted of his motorcycle, Aadhar Card, ATM Card, and mobile phone.

The learned counsel for the petitioner submits that while he was in custody in connection with another case, he has been remanded in this case on alleged confessional statement of co-accused, namely, Neeraj Kumar, from whom, looted mobile phone has been recovered. There is no recovery of any incriminating material from the petitioner and he is in custody since 30.06.2020. The petitioner is also implicated in four more cases. Submission is further that till date even Test Identification Parade has not been held though, as per the prosecution case, the informant is in a position to identify the accused persons.

Earlier, the case diary had been requisitioned.

The learned APP, representing the State, has opposed the prayer for bail. Petitioner's name has been stated by co-accused, namely, Neeraj Kumar, from whom, looted mobile phone was recovered.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.



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 **Chief Judicial Magistrate Banka, Dist. Banka**, in connection with **Banka PS Case No. 240 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.

(Madhuresh Prasad, J)

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