

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6418 of 2021**

Arising Out of PS. Case No.-136 Year-2020 Thana- BHAIKAVSHTHAN District-  
Madhubani

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VIJAY KUMAR MANDAL S/o Ramdeo Mandal R/o village- Shukalarahi,  
P.S.- Bhairab Asthan, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Baleshwar Kamat  
For the Opposite Party/s : Mr.Mushtaq Alam, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      15-04-2021                      This matter is taken up for consideration through  
  
Video Conferencing under the orders of Hon'ble the Chief  
  
Justice.

Heard both parties.

The petitioner seeks bail in Bhairab Asthan P.S. Case  
No. 136 of 2020 (GR No. 1656 of 2020), registered for the  
offence punishable under Section 379 of the Indian Penal Code.

As per the prosecution case, some unknown  
miscreants committed theft of motorcycle of informant.

It is submitted on behalf of the petitioner that  
petitioner is not named in the FIR. During course of  
investigation, name of this petitioner has come. Nothing has  
been recovered from conscious possession of this petitioner. It is



further submitted that the alleged motorcycle which was recovered near the house of this petitioner is not of the informant, as described in the FIR. Petitioner is in custody since 20.09.2020 and bears clean antecedent, as stated in para 3 of the petition.

Considering the fact that no recovery has been made from conscious possession of this petitioner coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to 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 the learned Additional Chief Judicial Magistrate-Ist, Jhunjharpur, Madhubani in connection with Bhairab Asthan P.S. Case No. 136 of 2020 (GR No. 1656 of 2020), subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

**(Prabhat Kumar Singh, J)**

vinita/-

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