

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8393 of 2021

Arising Out of PS. Case No.-6 Year-2020 Thana- PIRPAINTI District- Bhagalpur

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DHARMENDRA MANDAL SON OF LATE BASUDEO MANDAL R/O
VILL.- BAKHARPUR PURAB TOLA, P.S.- PIRPAINTI (BAKHARPUR),
DIST.- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-07-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

The petitioner has filed the instant application for grant of
regular bail in connection with Pirpainti (Bakharpur) P.S. Case no. 6
of 2020 registered under section 392 of the Indian Penal Code to
which section 414 of the Indian Penal Code was added subsequently.

As per allegation in the FIR, the three accused persons
caught hold of the informant and dispossessed him of his motorcycle
and other articles including Rs.8,000 in cash. On an attempt by the
accused persons to abandon the motorcycle and escape, they were
caught.

It is submitted by learned counsel for the petitioner that
the petitioner has no concern with the occurrence and has been



falsely implicated in the case only on the basis of the confessional statement. No incriminating article has been recovered from his possession. The petitioner is in custody since 6.1.2020 and has no criminal antecedent besides one case under the Excise Act lodged for the same occurrence. Investigation in the case has concluded.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for 1 year 6 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Pirpainti (Bakharpur) P.S. Case no. 6 of 2020 on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XI, Bhagalpur.

(Partha Sarthy, J)

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