

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4346 of 2022

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

=====

Naresh Kumar Mandal @ Naresh Mandal, Son of Lalit Mandal, Resident of
Village- Suklarahi tol, P.S.- Bahairavsthan, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mrs. Kumari Shubham, Advocate Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar Jha, APP

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 19-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Bhairavsthan P.S. Case No. 136 of 2020 registered for the alleged offence under Section 379 of the Indian Penal Code.

The prosecution case is that some unknown miscreants committed theft of the motorcycle of the informant. During investigation, the name of the petitioner came up as an accused.



The learned counsel for the petitioner submits that the petitioner is not named in the FIR, which has been registered against unknown. He has been named in this case only on the basis of confessional statement of co-accused Vijay Kumar Mandal, who has been granted bail by a Co-ordinate Bench vide order dated 15.04.2021 passed in Cr. Misc. No. 6418 of 2021. Nothing incriminating has been recovered from this petitioner. Charge-sheet has been submitted and the petitioner is in custody since 15.09.2021.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent and is accused in a number of cases of similar nature.

Having regard to the submissions made hereinabove and considering the fact that similarly placed co-accused has been granted bail by a Co-ordinate Bench of this Court and further considering the fact of submission of charge-sheet as well as the period of custody of this petitioner, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Jhanjharpur, Madhubani in connection with Bhairavsthan P.S. Case No. 136 of 2020, subject to the



following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Rajnish/-

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

