

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4726 of 2022

Arising Out of PS. Case No.-765 Year-2020 Thana- KAHALGAON District- Bhagalpur

MADHUSH KUMAR Son of Late Yugul Mandal, Resident of Village -
Ammapur, P.S.- Kahalgoan, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha

For the Opposite Party/s : Ms. Rita Verma

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 24-05-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Kahalgaon P.S. Case No. 765 of 2020 registered for
offence punishable under sections 395, 412, 307, 353, 333 of the
Indian Penal Code and 25 (1-b)a, 26, 27 of the Arms Act.

As per allegation, three miscreants, namely, Gurudev
Mandal, Ajay Mandal and Niranjana Kumar were apprehended
while planning to commit dacoity. They disclosed the name of
the present petitioner and co-accused Amit Kumar Mandal who



fled away from the scene of occurrence. Some arms and ammunitions were recovered from the possession of apprehended persons.

The learned counsel for the petitioner has submitted that petitioner's name has figured in the confessional statement of co-accused and he is under custody since 28.08.2021. He has also submitted that co-accused Niranjana Kumar and Ajay Mandal have been granted bail by the coordinate Bench in Cr. Misc. No.40749 of 2021 and co-accused Gurudev Mandal has been granted bail in Cr. Misc. No. 59722 of 2021.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgau P.S. Case No. 765 of 2020, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of



offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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