

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6950 of 2022

Arising Out of PS. Case No.-268 Year-2018 Thana- MOUZAHDIPUR District- Bhagalpur

Bhairi Mandal S/O Dhanerswar Ray @ Makir Mandal R/o village- Pawai,
P.S.- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within four
weeks from today.

The petitioner seeks regular bail in connection with
Mojahidpur (Babarganj) P.S. Case No. 268 of 2018 instituted for
the offences punishable under Sections 395 and 412 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 16.07.2021, charge-sheet has been
submitted in the case

Learned counsel for the petitioner submits that the
F.I.R. has been lodged against five unknown persons. It is
alleged that five miscreants entered the house of informant. The



informant was asked by the miscreant to open the Almirah. It is further alleged that the miscreants took away cash, gold and silver coin and keeping all the articles in a bag and fled away.

Learned counsel for the petitioner submits that the petitioner has criminal antecedent of one case but he has been acquitted in this case. Further, it is submitted that the petitioner is not named in the F.I.R., his name transpired in this case on the basis of confessional statement of co-accused namely, Kapil Yadav who has been granted bail by a Co-ordinate Bench of this Court vide order dated 03.02.2020 passed in Cr. Misc. No. 49784 of 2019 at Annexure-2. It is further submitted that the petitioner has not been took on Test Identification Parade (T.I.P) to ascertain his participation in this alleged occurrence.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 16.07.2021, charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-XII, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 268 of



2018.

(Khatim Reza, J)

Gaurav Kumar/-

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