

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8358 of 2022

Arising Out of PS. Case No.-68 Year-2021 Thana- KURSAILA District- Katihar

Mithun Mandal S/O Manna Mandal Resident Of Village- Bhimdas Tola
Tintanga, P.S.- Rangra, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-04-2022

Heard counsel for the parties.

The petitioner is in judicial custody in connection with Kursela P.S. Case No. 68 of 2021 instituted under Section 394/411 of the Indian Penal Code.

As per the allegation, the informant ran CSP of SBI at Kursela. On 24.5.2021, while returning home along with cash of Rs. 1,46,700/-, three miscreants intercepted him and snatched his bag containing the aforesaid cash, mobile, laptop and Aadhar Card amongst other. However, the police patrolling party succeeded in apprehending one of the three accused persons who disclosed his name as Baski Mandal and further revealed the names of the other accused persons who fled away as Pankaj Mandal and Sanjay Mandal. The accused Pankaj Mandal named this petitioner as one of the accomplices in the



alleged crime.

Learned counsel for the petitioner submits that it is only on the basis of confessional statement of accused Pankaj Mandal that the name of the petitioner has come up in the alleged crime. He submits that he is in judicial custody since 28.11.2021(as stated in para-9 of the bail application). He has further brought this Court's attention to an order passed by a coordinate bench of this Court in Cr. Misc. No. 63023 of 2021 disposed of on 6.4.2022 by which Sanjay Mandal was enlarged on bail. The learned counsel for the petitioner has also brought on record an order passed by this Court an order dated 12.4.2022 in Cr. Misc. No. 58621 of 2021 by which this Court has allowed bail application of Pankaj Mandal. The petitioner lastly submits that he has no criminal antecedent.

The order dated 12.4.2022 passed in Cr. Misc. No. 58621 of 2021 be kept on record.

Considering the aforesaid facts, this Court is inclined to grant the privilege of bail to the petitioner. However, the Trial Court shall check his criminal antecedent and if it is found that contrary to the statement made in para-3 of the bail application, he does have any criminal case lodged against him, this order shall become infructuous.



Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Katihar, in connection with Kursela P.S. Case No. 68 of 2021.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

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