

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9932 of 2022

Arising Out of PS. Case No.-115 Year-2019 Thana- BASANHI District- Saharsa

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BABLU MANDAL @ BABLU SINGH Son of Kedar Mandal Resident of
Village- Akaniya, P.S.- Manshi, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 394 of the IPC.

According to prosecution case, while the informant was going on motorcycle to his native village and when he reached near over-bridge, then suddenly four unknown miscreants riding on two motorcycles came there and assaulted the informant and snatched his motorcycle as also Rs.1900/- and mobile phone of Samsung Company.

Learned counsel appearing for the petitioner submits



that in fact the petitioner is not named in the FIR. The name of the petitioner has been transpired on the basis of the confessional statement of the co-accused, namely, Maharana Kumar. Further submits that nothing has been recovered from conscious possession of the petitioner and till date no TIP has been conducted by the prosecution and co-accused, Maharana Kumar has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 21.10.2021 passed in Cr.Misc. No.16501 of 2021 and several other co-accused persons have also been granted bail by different Coordinate Benches of this Hon'ble Court and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 27.06.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries seven more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Basnahi P.S. Case No.115 of 2019, with the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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