

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28023 of 2021

Arising Out of PS. Case No.-109 Year-2020 Thana- KHAIRA District- Jamui

SURENDRA MANDAL Son of Kanhaiya Mandal Resident of Village -
Nawkadih, P.S. Laxmipur, District - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Adv

For the Opposite Party/s : Mr.Surendra Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Khaira
P.S.Case No.109 of 2020 registered for the offence under
Section 392 of the Indian Penal Code.

As per the prosecution case, co-accused Nayan
Kr.Singh along with three unknown miscreants looted
motorcycle of the informant.

Learned counsel appearing for the petitioner submits
that the petitioner is not named in the FIR. He has falsely been
implicated in the present case. He further submits that the name
of the petitioner has transpired only on the basis of the
confessional statement of co-accused, namely, Manav Singh @
Nayan Kumar Singh. He further submits that nothing has been



recovered from the conscious possession of the petitioner. Till date no T.I. Parade has been conducted by the prosecution. He further submits that the petitioner was arrested in Khaira P.S.Case No.110 of 2020, thereafter, the petitioner remanded in the present case on 13.10.2020. He further submits that co-accused, namely, Chhotu Kumar has been granted bail vide order dated 05.07.2021 in Cr. Misc. No. 21954 of 2021 and another co-accused, namely, Sonu Verma has been granted bail vide order dated 25.10.2021 in Cr. Misc. No.18184 of 2021 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 13.10.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries twelve 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 Chief Judicial Magistrate, Jamui in connection with Khaira P.S.Case No.109 of 2020 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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