

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18674 of 2022**

Arising Out of PS. Case No.-428 Year-2021 Thana- NATHNAGAR District- Bhagalpur

ROSHAN KUMAR sonof Vikram Mandal @ Vikram Prasad Mandal  
Resident of Village - Kanjhia, P.S. - Nathnagar (madhusudanpur), District -  
Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      31-08-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect(s), if any, as pointed out by the  
office, be removed within four weeks.

The case is registered under sections 392 and 414  
of the Indian Penal Code, in connection with Nathnagar  
(Madhusudanpur) P.S. Case No. 428 of 2021.

In this case, case diary was called for on 28.7.2022  
which has since been received.

Learned counsel for the petitioner submits that  
only on account of statement of some of the witnesses, the  
petitioner has been implicated in this case and so far as recovery  
of Rs. 5000/- from his house is concerned, it was his own



amount which has been attributed to the alleged loot. He lastly submits that he has no criminal antecedent.

Taking into account the fact that the petitioner is in custody since 6.8.2021 (as stated in para-6 of the bail application), has no criminal antecedent, the charge-sheet stands submitted and similar circumstanced co-accused Shaurav Kumar Choudhary has since been released on bail vide Cr. Misc. No. 1484 of 2022 on 22.3.2022, this Court is inclined to grant him the privilege of bail. However, if it is found that the petitioner do have criminal antecedent, the bail bonds shall stands cancelled.

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., Bhagalpur or Successor Court, in connection with Nathnagar (Madhusudanpur) P.S. Case No. 428 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/-

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