

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24329 of 2022

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

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BASUKI MANDAL @ BASKI MANDAL Son of Jaihind Prasad Mandal
Resident of Village - Ziyauddinpur, P.S.- Zero Mile (Sabour), District -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-09-2022 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 the

learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the

offence under Sections 394,411 of the Indian Penal Code.

The prosecution case, in short, is that the informant

runs CSP (SBI) at Kursela. On 24.05.2021 the informant was

returning home and at that time cash of Rs.1,46,700/- also

with him as kept in a bag, which was withdrawn from SBI,

Kursela. It has been stated that in way three miscreants

intercepted the informant and snatched away his bag



containing with aforesaid cash, mobile, laptop, Aadhar Card and Register and they fleeing away and in that course one miscreant apprehended by police patrolling party, who disclosed his name Baski Mandal and he also disclosed the name of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that the petitioner was apprehended on the spot and one Laptop, Rs.46,700/- has been recovered from possession of the petitioner. Further submits that as per allegation in the FIR, Rs. 1,46,700/- has been looted from the informant but the recovery has been made from possession of the petitioner is only Rs. 46,700/- to suspicion raise, the present FIR has been instituted only to harass the petitioner. Further submits that for the same occurrence, two FIRs have been instituted, one is the present case and another is Kursela P.S.Case No.69 of 2021 under the Arms Act and the petitioner has granted bail in Kursela P.S.Case No.69 of 2021 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 26.05.2021.

Learned APP for the State has opposed the prayer



for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the fact 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 Kursela P.S.Case No.68 of 2021 corresponding to G.R.No.1941 of 2021 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.

(3) 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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