

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25918 of 2022**

Arising Out of PS. Case No.-332 Year-2019 Thana- SULTANGANJ District- Bhagalpur

BINOD MANDAL S/o Late Ghogha Mandal R/o village- Fatehpur, P.S.-
Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Adv.

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

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

2 18-08-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Sultanganj P.S. Case No.332 of 2019 instituted under
Sections 341, 323, 385, 387, 406, 420/34 of the Indian Penal
Code.

As per allegation in the FIR, the petitioner along with
other co-accused after abusing the informant, snatched
Rs.46,100/- that was collected by him (being a Field Officer of
Mahindra Finance) as also the printer machine. The further
allegation is of assault to him.

Learned counsel for the petitioner submits that a civil
dispute has been turned into a criminal case and both the



amount and the printer have since been returned to the informant by Sanoj Yadav. He further submits that one of the co-accused namely Sanoj Kumar Mandal @ Sanoj Mandal @ Sanoj Kumar has since been released on bail by a co-ordinate Bench of this Court vide Cr. Misc. No.19826/2022.

Let the same be kept on record.

Learned counsel for the petitioner on the other hand says that there is allegation of 'Marpit' and snatching of amount and the petitioner cannot claim himself to an innocent one.

Taking into account the fact that the petitioner is in custody since 20.11.2021 (as stated in para-13 of the bail application), charge-sheet stands submitted and one of the co-accused namely Sanoj Kumar Mandal @ Sanoj Mandal @ Sanoj Kumar has since been released on bail, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties of the like amount each in connection with Sultanganj P.S. Case No.332 of 2019 to the satisfaction of learned Additional Chief Judicial Magistrate,Ist, Bhagalpur, subject to following conditions:

(i) one of the bailor should be the family member 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 cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month till conclusion of Trial to mark his presence;

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

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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