

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36416 of 2021**

Arising Out of PS. Case No.-170 Year-2020 Thana- JAGDISHPUR District- Bhagalpur

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SANJAY MANDAL Son of Ganesh Mandal @ Ganeshi Mandal Resident of  
Simra, Police Station- Tikapatti, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      06-01-2022                      Heard learned counsel for the parties through video  
conferencing.

Petitioner seeks regular bail in connection with S.T.  
No. 168 of 2021 (arising out of Jagdishpur (Goradih) P.S. Case  
No. 170 of 2020) registered for the offence under Section  
392 of the I.P.C. and Sections 395 & 412 of the I.P.C. was  
added.

Prosecution case in brief is that while the informant  
was going on his tractor a Scorpio vehicle over took his tractor  
and he was accosted by four unknown persons, who snatched a  
sum of Rs. 14,000/- kept in the tool box and also fled away  
with the tractor of the informant.

Learned counsel for the petitioner submits that  
petitioner has not committed any offence in the manner alleged



and he has been made accused on the basis of the confessional statement of the co-accused / Bikash Kumar in Industrial Area P.S. Case No. 48 of 2020 and thereafter the petitioner has been remanded in the present case as well as one another case bearing Bihpur (Jhandapur) P.S. Case No. 185 of 2020. He further submits that no looted article and / or any incriminating material has been recovered from the possession of the petitioner and the looted tractor has been recovered in front of the house of one Manchun Mandal, which would be evident from the seizure list at page no. 13 of this bail application. He further submits that similarly situated accused persons whose name also transpired on the basis of the confessional statement of Bikash Kumar namely, Gautam Kumar and Banty Kumar have been granted bail by different Co-ordinate Benches of this Court in Cr. Misc. Nos. 20978 of 2021 & 16877 of 2021 respectively and the petitioner is in custody since 22/01/2021.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that similarly situated accused persons have been granted bail by different Co-ordinate Benches of this Court, petitioner is in custody since 22/01/2021 and charge sheet has already been submitted, I am inclined to grant regular



bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-XI, Bhagalpur in connection with S.T. No. 168 of 2021 ( arising out of Jagdishpur (Goradih) P.S. Case No. 170 of 2020 on the following conditions:-

(1) that one of the bailors shall be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(2) that the petitioner shall be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates, his bail bond shall be liable to be cancelled.

(3) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move for cancellation of his bail bond.

(4) that the bailor shall also state on



affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(5) that the petitioner shall appear before the concerned P.S. once in a month till conclusion of the trial.

**(Anil Kumar Sinha, J)**

praful/-

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