

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30340 of 2022

Arising Out of PS. Case No.-190 Year-2017 Thana- BANKA District- Banka

Gyandip Mandal @ Gyandeep Mandal, Son Of Vijay Mandal R/O- Village-
Jitarpur, P.S.- Banka, Dist- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-08-2022 Heard Mr. Praveen Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Chandra Sen Prasad Singh,
learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Banka P.S. Case No. 190 of 2017, for the offence punishable
under Sections 147, 149, 337, 431, 438, 427 and 307 of the
Indian Penal Code.

As per the allegation made in the F.I.R. is that 400-
500 people assembled near the dead body of a girl, who was
crushed to death by another vehicle and due to which the road
was blocked. The F.I.R. has been lodged by the driver of one
truck bearing registration No. JH-16A-4334, which was



ransacked by a mob of around 400-500 people.

Learned counsel appearing on behalf of the petitioner submits that the F.I.R. is against mob of around 400-500 people at best the petitioner may be considered the member of the said mob and for the one single incident, the petitioner has been roped in four cases about which he has made specific statement in paragraph No.3 of the bail application out of which in one case i.e. Banka P.S. Case No. 188 of 2017, the petitioner has been released on bail by a co-ordinate Bench of this Court. The petitioner has not been put on T.I.P. till date. The Chargesheet has already been submitted and some other co-accused persons have already been granted privilege of bail by a coordinate Bench of this Court. The petitioner is in custody since 30.03.2022.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the material available on record and taking into consideration the period of custody undergone by the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 190 of 2017, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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