

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34531 of 2022

Arising Out of PS. Case No.-877 Year-2021 Thana- BANKA District- Banka

SATTAN MANDAL @ SATTO MANDAL SON OF BATESHWAR
MANDAL R/O- VILL-VIJAY NAGAR, P.S.- BANKA, DIST.- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

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

The petitioner is in judicial custody in connection
with Banka P.S. Case No. 877 of 2021 for the offences under
Sections 399 and 402 of the Indian Penal Code and under
section 25(1-b)a, 26 and 35 of the Arms Act.

As per the FIR, the police intercepted motorcycle
borne accused persons and upon search, it is alleged that one
country-made loaded automatic pistol and live cartridge were
recovered from the possession of the petitioner. Accordingly, he
was taken into custody.

Learned counsel for the petitioner submits that only



because he has criminal antecedent, he has been implicated in this case and is in custody since 07.11.2021 (as stated in paragraph-10 of the bail application).

Considering the aforesaid fact as also that he is in custody since 07.11.2021, charge sheet stands submitted and one of the co-accused, namely, Lalu Kumar Singh @ Shivam has since been granted privilege of bail vide order dated 08.04.2022 passed in Cr. Misc. No. 7859 of 2022 by a co-ordinate Bench, this Court is inclined to grant him privilege of bail.

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 Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 877 of 2021, subject to the 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 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)

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