

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51338 of 2021**

Arising Out of PS. Case No.-391 Year-2020 Thana- FORBESGANJ District- Araria

SIKANDAR MANDAL @ SIKENDRA MANDAL Son of Late Pano Mandal
Resident of Village - Rangdaha Majhuwa, Police Station - Forbesganj,
District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv

For the Opposite Party/s : Ms.Pushpa Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

7 16-05-2022 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.

A supplementary affidavit, carrying out necessary correction in the main petition, has been filed on behalf of the petitioner, which is kept on record.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 394 of the IPC.

The prosecution case, in short, is that on 24.05.2020 the petitioner and two unknown persons snatched the motorcycle, samsung mobile as well as cash amount of



Rs.1600/-on the point of knife.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of the information given by the local Mukhiya and nothing has been recovered from conscious possession of the petitioner and the petitioner is in custody since 06.04.2021.

Vide order dated 25.04.2022, a report was called for with regard to the stage of the trial. Report dated 29.04.2022 reveals that the charge has been framed against the petitioner under Section 394 IPC and the case is running for prosecution evidence.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries fifteen more cases other than the present one.

Considering the facts 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 Forbesganj P.S. Case No.391 of 2020, 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.

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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