

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51512 of 2021

Arising Out of PS. Case No.-106 Year-2020 Thana- BHAIKAVSHTHAN District-
Madhubani

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1. VIJAY KUMAR MANDAL @ VIJAY MANDAL Son of Ramdev Mandal
Resident of Village - Suklarahi, P.S. - Bhairavsthan, District - Madhubani.
 2. Naresh Kumar Mandal @ Naresh Mandal Son of Lalit Mandal Resident of
Village - Suklarahi, P.S. - Bhairavsthan, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Shubham, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-03-2022 Heard the learned counsel for the petitioners and the
learned APP for the State.

The petitioners seek regular bail in connection
with Bhairavsthan PS case no. 106 of 2020 instituted for the
offences punishable under Sections 379, 411 of Indian Penal
Code.

The allegation is regarding the petitioners
having stolen a motorcycle which is stated to have been
recovered from near the house of one Gauri Shankar Chaupal.

The learned counsel for the petitioners has
submitted that the petitioners are innocent, have been falsely
implicated in the present case and are languishing in custody



since 03.12.2020. The learned counsel for the petitioners has further submitted that after the petitioner no. 2 was arrested in connection with Bhairavsthan PS case no. 142 of 2020, the police had forcibly taken his confessional statement to the effect that he along with petitioner no. 1 and one another had stolen the motorcycle in question and then the petitioners are stated to have been made an accused in the present case and other cases. It is next submitted that the petitioners have sufficiently been punished, inasmuch as they are languishing in custody since more than a year. Lastly, it is submitted that the charge sheet has also been filed in the present case and the investigation is complete.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioners herein apart from the fact that the investigation is complete and charge sheet has also been filed in the present case, I deem it fit and proper to admit the petitioners to the privilege of bail.



Accordingly, the abovenamed petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned court of A.C.J.M.-I, Jhanjharpur, Madhubani in connection with Bhairavsthan PS case no. 106 of 2020.

(Mohit Kumar Shah, J)

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