

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54851 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- SASARAM RAIL P.S. District- Gaya

Mangal Pandey, Son Of Surajdeo Narayan Pandey, Resident of Village-
Karujara Rajgir, P.S.- Ben, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 31-03-2022 Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

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

The petitioner seeks regular bail, who is in custody in
connection with Sasaram (Dehri) Rail P.S. Case No. 24 of 2021
for the offences under Sections 341, 323, 392, 411, 504/34 of
the Indian Penal Code.

The prosecution case is that on 23.03.2021 at about
1.10 A.M. while the informant along with one other official
were on duty and guarding the Duomatic machine in the
meantime two unknown persons came there and assaulted them
and snatched a gold locket from the neck of the informant and



fled away.

It is submitted on behalf of the learned counsel for the petitioner that the petitioner is innocent and he is not named in the F.I.R. In fact the F.I.R. was instituted against unknown persons and the name of the petitioner has transpired on the confessional statement of co-accused Sanjeet Paswan. It is further submitted that the petitioner is in custody since 07.04.2021, but till date the petitioner has not been put on TIP. He further submits that the charge-sheet has already been submitted in this case.

On the other hand learned Additional Public Prosecutor for the State has submitted that from the bare perusal of the impugned order, it is evident that the allegedly looted locket has been recovered from the possession of this petitioner.

Having heard the learned counsel for the parties and taking into account the submissions made on behalf of the petitioner that the petitioner is in custody since 07.04.2021, but till date neither the petitioner nor the alleged looted gold locket has been put on T.I.P. and the fact that the petitioner has got clean antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the



satisfaction of Judicial Magistrate (Railway), Gaya in connection with Sasaram (Dehri) Rail P.S. Case No. 24 of 2021 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial. (ii) He will remain present on each and every date of trial till disposal of the case. (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial. (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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