

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57222 of 2021

Arising Out of PS. Case No.-462 Year-2021 Thana- KAHALGAON District- Bhagalpur

Bhojal Mandal Son of Anil Mandal Resident of Village - Rajandipur, P.S.-
Sabour, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in Virtual Court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Kahalgaon
(Ghogha) P.S. Case No. 462 of 2021 registered for the offences
punishable under Sections 379, 414/34 of the Indian Penal
Code.

According to prosecution case, the informant got
secret information that stolen motorcycle has been kept at the
house of Kailash Mandal at Brahmchari Tola, by giving
information to his superior official the informant reached at the



house of Kailash Mandal. One person tried to flee, who was caught with the help of police force, who disclosed his name as Bhojal Mandal and stated that this is my Sural. The police force with petitioner Bhojal Mandal searched the house of Kailsah Mandal and found four motorcycles.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. He further submits that nothing has been recovered from conscious possession of the petitioner or from the house of the petitioner. He further submits that the recovery has been made from the house of the co-accused namely Kailash Mandal, Kailash Mandal is the father-in-law of the petitioner. Petitioner is in custody since 15.07.2021.

The learned Additional Public Prosecutor opposed the prayer for bail submitting that petitioner carries one criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur



in connection with Kahalgaon (Ghogha) P.S. Case No. 462 of
2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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