

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57944 of 2021

Arising Out of PS. Case No.-34 Year-2020 Thana- BARHARA KOTHI District- Purnia

MANISH MANDAL @ MANISH KUMAR MANDAL Son of Late
Raghunandan Mandal Resident of Village - kapsiya Laliya, Ward no.13, P.s.-
Alamnagar, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-02-2022 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.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Barhara P.S. Case No.34 of 2020 registered for the offence under Sections 392 of the Indian Penal Code.

Two persons are said to have snatched the mobile and papers of vehicle along with cash of the informant on the point of gun.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been



implicated in this case. In fact, the petitioner has not been named in the F.I.R. but on the basis of confessional statement of the co-accused, namely, Murari Yadav @ Shivam Kumar @ Shivam Yadav, name of this petitioner has surfaced in this case. He further submits that neither the petitioner has been put on T.I.P as yet nor anything incriminating as alleged in the F.I.R. has been recovered from his conscious possession. The petitioner is rotting in judicial custody since 17.10.2020.

Learned A.P.P. for the State has, vehemently, opposed the prayer for bail of the petitioner on the ground that the petitioner carries eleven cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Chief Judicial Magistrate, Purnia in connection with Barhara P.S. Case No. 34 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 canceled 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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