

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58621 of 2021

Arising Out of PS. Case No.-68 Year-2021 Thana- KURSAILA District- Katihar

Pankaj Mandal @ Pankan Mandal S/o Late Bharath Mandal R/o village-
Bhim Das Tola Tintanga, P.S.- Gopalpur (Rangra), District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-04-2022

Heard counsel for the parties.

The petitioner is in judicial custody in connection with Kursela P.S. Case No. 68 of 2021 instituted under Section 394/411 of the Indian Penal Code.

As per the allegation, the informant ran CSP of SBI at Kursela. On 24.5.2021, while returning home along with cash of Rs. 1,46,700/-, three miscreants intercepted him and snatched his bag containing the aforesaid cash, mobile, laptop and Aadhar Card amongst other. However, the police patrolling party succeeded in apprehending one of the three accused persons who disclosed his name as Baski Mandal and further revealed the names of the other accused persons who fled away as Pankaj Mandal and Sanjay Mandal. Pankaj Mandal is the petitioner herein who is in judicial custody since 26.5.2021.



Learned counsel for the petitioner besides submitting that his name has cropped up in the confessional statement of Baski Mandal has also brought attention to the Court to an order passed by a coordinate bench of this Court in Cr. Misc. No. 63023 of 2021 disposed of on 6.4.2022 relating to third accused person Sanjay Mandal whose name has also cropped up in the confessional statement of Baski Mandal. The said Sanjay Mandal who was in judicial custody since 26.5.2021 has since been released on bail. The order produced by the learned counsel for the petitioner be kept on record.

Considering the aforesaid facts, let the petitioner be released on bail. However, taking into the account that he has criminal antecedent, some conditions are necessary to be imposed while releasing him on bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned J.M.-1st Class, Katihar, in connection with Kursela P.S. Case No. 68 of 2021 subject to the following conditions:-

(i) one of the bailors should be the family members of the petitioner and will produce official document to show his bona fide;



(ii) the petitioner shall ensure his presence in the pending trial on each and every date and failure to do so for two consecutive dates without plausible reason, the State shall be at liberty to initiate the process for cancellation of his bail;

(iii) he shall visit the local police station every fortnight for three months to mark his presence;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

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