

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60522 of 2021

Arising Out of PS. Case No.-334 Year-2021 Thana- PATLIPUTRA District- Patna

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Lal Babu Mandal Son of Sri Shivam Mandal Resident of Village- Birpur,
P.O.- Malahi, P.S.- Surshand, District- Sitamarhi, at present resident of Rajiv
Nagar Railway Crossing Colony, P.S.- Patlipura, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-02-2022 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 Patliputra P.S.

Case No. 334 of 2021 registered for the offences punishable

under Sections 379, 411 of the Indian Penal Code.

According to prosecution case, the informant stating

therein that while he was discharging his duty as a Guard in

Riddhi Construction Company, Patna, he saw that nine iron

shattering plate of size 2' X 3' of the Company were being stolen



and carried away in a tempo and he immediately raises hulla and chased the auto and finally caught it near Rajeev Nagar over bridge and found two persons sitting in the auto. The informant informed the police who reached at the place of occurrence. On enquiry, the persons disclosed their names as Lal Babu Mandal (petitioner) and Bijay Kumar.

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 only on the basis that because the petitioner is the owner of the Auto which was seized in the present case for allegedly carrying the stolen articles. He further submits that nothing has been recovered from conscious possession of the petitioner. It is further submitted that the police has been submitted the charge sheet against the petitioner. The petitioner is in custody since 13.07.2021.

The learned Additional Public Prosecutor vehemently opposed the prayer for bail, submitting that petitioner carries three criminal antecedents.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Sub



Judge-X-cum-Additional Chief Judicial Magistrate-X, Patna in connection with Patliputra P.S. Case No. 334 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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