

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66005 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- SAKRI District- Madhubani

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Anshu Mandal @ Anshu Kumar Mandal @ Chhotu, Son of Hira Mandal
Resident of Village - Narpat Nagar, P.S.- Sakari, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 07-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Sakari

P.S. Case No. 36 of 2021, registered for the offences

punishable under Section 365 of the Indian Penal Code and

25 (1-b) a, 26/35 of the Arms Act.

The prosecution case as emerging from the FIR is

that at 2:00 AM, the accused-petitioner and his associates

entered into the house of the informant and forcibly took

away his daughter.

The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in



this case. He further submits that the case has been lodged against the petitioner and other co-accused on account of local politics as father of the petitioner was a candidate for Mukhiya. He further submits that no arms has been recovered from the conscious possession of the petitioner. Even as per the FIR, the alleged arms were found thrown on ground. He also submits that charge has already been framed and the trial is going on. Petitioner has been languishing in jail since 19.02.2021 i.e., for about one years eight months.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has been made accused in one more case, namely, Sakari P.S. Case No. 70 of 2019.

However, the learned APP for the State vehemently opposes the prayer for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on



bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. C.J.M., Madhubani in connection with Sakari P.S. Case No. 36 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting



satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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