

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64236 of 2022

Arising Out of PS. Case No.-44 Year-2022 Thana- JALALGARH District- Purnia

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BHARAT KUMAR MANDAL Son of Late Basudev Mandal R/V- Azam
Nagar, Kushirargaon, P.S. and District- Araria-854325

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 12690 of 2023

Arising Out of PS. Case No.-44 Year-2022 Thana- JALALGARH District- Purnia

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MD. MAHTAB ALAM @ MAHTAB ALAM Son of Md. Sajid Resident of
Village- Kushiya Gaon, P.S.- Araria, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 64236 of 2022)

For the Petitioner/s : Mr.Nishant Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

(In CRIMINAL MISCELLANEOUS No. 12690 of 2023)

For the Petitioner/s : Mr.Manoj Kumar Ambastha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 27-02-2023 As both the criminal miscellaneous petitions have

arisen out of same P.S. case, hence they are being taken up and

decided together.

Let the defect(s), if any, pointed out by the office

be removed within three weeks from the date of this order,

failing which the matter be listed again under the appropriate



heading for necessary action.

Heard learned counsels for the petitioners and the learned APPs for the State.

Petitioners seek regular bail in connection with Jalalgarh P.S. Case No.44 of 2022 registered for the offence punishable under Section 392 of the Indian Penal Code.

As per the prosecution, the informant alleged that three unknown miscreants snatched his motorcycle and mobile phone.

It is submitted by the learned counsel for the petitioner Bharat Kumar Mandal that the said petitioner is innocent and young person and against him there is criminal antecedent of one case lodged under Section 30(a) and 38 of Bihar Prohibition and Excise Act, 2016 and as per the prosecution one motorcycle parked outside the petitioner's house was recovered but the petitioner had no concern to the recovered motorcycle and he has been languishing in jail since 05.06.2022.

It is submitted by the learned counsel for the petitioner Md. Mahtab Alam @ Mahtab Alam that the petitioner has fair and clean antecedent and is young person and as per the prosecution he was found using the looted mobile phone of the



informant but in actual he had purchased the said phone from Gray market and he has been languishing in jail since 05.06.2022.

Learned APPs appearing for the State has opposed the bail prayer of both the petitioners.

Considering the aforesaid facts and mainly the young age of the petitioners and their custody period, in the opinion of this Court a lenient approach can be taken in respect of petitioners' prayer, let both the petitioners 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 concerned Court in connection with Jalalgarh P.S. Case No.44 of 2022.

(Shailendra Singh, J)

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