

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19836 of 2023

Arising Out of PS. Case No.-23 Year-2022 Thana- BARHAT District- Jamui

Sintu Mandal @ Sintu Kumar, S/O Banarasi Mandal, Resident of Village-Kendih, P.S.- Khaira, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 19-05-2023 The applicant/accused in Crime No. 23 of 2022 registered with Barhat Police Station for the offences punishable under Sections 399 and 402 of the Indian Penal Code as well as Sections 25(1-b)/26/35 of the Arms Act, by this application is seeking his release on bail during pendency of the trial.

2. Heard both sides.

3. The crime in question is registered on the basis of report lodged by the Police Sub-Inspector, Chitrangan Kumar. According to the prosecution case, police has received secret information that gang of Dacoits is making preparation for commission of Dacoity at the house of Shipu Singh. That is how, house of said Shipu Singh was raided and six persons were apprehended. Cash and firearms came to be seized from them.



4. The name of the applicant has surfaced on the record of investigation on the basis of confessional statement of accused arrested from the spot of the incident. The applicant was not apprehended from the spot and nothing has been recovered from him. The investigation of the subject crime is over and therefore, further pretrial detention of the applicant is not warranted. Hence, the orders:-

i. The application is allowed.

ii. The applicant/accused in Crime No. 23 of 2022 registered with Barhat Police Station for the offences punishable under Sections 399 and 402 of the Indian Penal Code as well as Sections 25(1-b)a/26/35 of the Arms Act be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the learned trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.



(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

(A. M. Badar, J)

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