

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21066 of 2023**

Arising Out of PS. Case No.-170 Year-2020 Thana- JAGDISHPUR District- Bhagalpur

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Munchun Mandal, aged about 24 years, Gender-Male, Son of Bhujangi Mandal, Resident of Village- Birsail, P.S.- Bhawanipur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 19-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Sessions Trial No. 143 of 2023 arising out of Jagdishpur (Goradih) P.S. Case No. 170 of 2020 dated 30.05.2020 registered for the offence punishable under Sections 392, 395 and 411 of the Indian Penal Code.

As per the prosecution case while the informant was going on his tractor a Scorpio vehicle took over his tractor and he was accosted by four unknown persons, who snatched a sum of Rs. 14,000/- and also fled away with the tractor of the informant.



Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Petitioner is a farmer who had purchased the seized tractor and he had no knowledge that the same was stolen. Petitioner has not been put up in the Test Identification Parade. Petitioner is in jail custody since 23.11.2022. Learned counsel for the petitioner further submits that charge has already been framed against the petitioner and the petitioner has no criminal antecedent.

Learned counsel for the petitioner further submits that similarly situated co-accused Sanjay Mandal and Vikash Kumar have been granted bail by a Co-ordinate Benches of this Court vide orders dated 06.01.2022 and 22.12.2021 in Cr. Misc. No. 36416 of 2021 and Cr. Misc. No. 70612 of 2021 respectively.

Learned APP appearing for the State has opposes the prayer for bail.

Considering the facts and circumstances of the case and submission of learned counsel for the parties, let the petitioner above named, be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge- XI, Bhagalpur/ Concerned Court in connection



with Sessions Trial No. 143 of 2023 arising out of Jagdishpur (Goradih) P.S. Case No. 170 of 2020 with the following conditions:-

(i) 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.

(ii) In case of absence on two consecutive dates without sufficient reason or if the petitioner misuse the liberty or violate any of the conditions imposed upon him his bail bond will be liable to be cancelled by the Court concerned.

(iii) If the petitioner tampers with the evidence or the witness, in that case the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

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