

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38524 of 2023

Arising Out of PS. Case No.-664 Year-2022 Thana- PATNA GRP CASE District- Patna

RAHIM MANDAL S/O BABLU MANDAL R/O- Goriya Kadampur, PS.
Sonarpur, Dist. South 24 Parganas, West Bengal

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Minnatullah, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with Patna Junction Case No. 664 of 2022 registered for the offences under sections 379 and 34 of the Indian Penal Code lodged on 23.11.2022 by the informant, Ravindra Kumar Nirala.

As per the prosecution story, the informant and his family members were bound for the Train No. 13402 at Patna Jn. when a miscreant snatched chain of gold from the neck of informant's wife. As she caught the said miscreant, he disclosed that stolen chain was given to his friend. On this the informant raised alarm, the police and passengers caught his friends. The apprehended miscreants disclosed their name. Accordingly, the FIR.



Learned Counsel for the petitioner submits that although he was arrested from the spot, there is no recovery from his possession and is in custody since 24.11.2022 (as per the order of learned Session Judge).

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the fact that there is no recovery, as stated above, he do not have criminal antecedent and is in custody since 24.11.2022, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Magistrate Rail Thana Patna in connection with GRP Patna P.S. Case No. 664 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;



(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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