

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41255 of 2022**

Arising Out of PS. Case No.-54 Year-2022 Thana- ISHAKCHAK District- Bhagalpur

MD. MANGAL S/O MD. WAHID R/o Mohalla- Tahbalpur, P.S.- Lodipur,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 02-03-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 380, 383, 120B/34 of the Indian Penal
Code.

The prosecution case, in short, is that on 25.03.2022,
the informant alleges that the golden, silver ornaments and some
documents were stolen away from her Almirah. The informant
raised suspicion on the FIR named accused persons including
the petitioner.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent. He has falsely been
implicated in the present case on the basis of the confessional
statement of the co-accused person, namely, Majre Alam.



Further submits that nothing has been recovered from possession of the petitioner or the house of the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 26.03.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, 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 learned court below where the case is pending in connection with Ishakchak P.S. Case No. 54 of 2022 with the following conditions:-

(1) 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 and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.1

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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