

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44598 of 2022

Arising Out of PS. Case No.-375 Year-2022 Thana- FORBESGANJ District- Araria

ATAL KUMAR MANDAL, aged about 21 years, Gender, Male, Son of
Gorishankar Mandal @ Gauri Shankar Mandal R/o village- Bhimpur, Police
Station- Bhimpur, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 01-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. Petitioner seeks regular bail in connection with
Forbesganj P.S. Case No. 375 of 2022 dated 09.04.2022
registered for the offence(s) punishable under Section(s) 394 of
the Indian Penal Code.
3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is not named in
the FIR, his name came into light in the statement of co-accused
Md. Azad @ Sajad who has been granted bail by a co-ordinate
Bench of this Court vide order passed in Cr. Misc. No. 51671 of
2022, though against the petitioner there is criminal antecedent
of one case but in the present matter, there is no material except



the statement of the said co-accused Md. Azad @ Sajjad, after petitioner's arrest in the present matter, the police failed to recover any part of the looted money from his possession and moreover, petitioner was not put on Test Identification Parade and accordingly there is no any legal evidence against the petitioner to connect him to the alleged crime of loot and he has been languishing in jail since 17.04.2021 and against him, the investigation has been completed. Further submission is that mainly on the basis of petitioner's phone's location near the place of occurrence, he was charge-sheeted in this case and his case is identical to the co-accused Md. Azad @ Sajjad, who is on bail.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's case being identical to the co-accused Md. Azad @ Sajjad, who is on bail and also taking into account petitioner's long custody period and completion of investigation against him and also the fact that any part of the looted money was not recovered from his possession after his arrest in the present matter, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the



petitioner be released on bail in connection with Forbesganj P.S.
Case No. 375 of 2022 on furnishing bail bond of Rs.10,000/-
(Ten Thousand) with two sureties of the like amount each to the
satisfaction of the Court concerned.

(Shailendra Singh, J)

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