

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50871 of 2023

Arising Out of PS. Case No.-519 Year-2021 Thana- DAUDNAGAR District- Aurangabad

MANDAL BANJARA S/O LATE HARI CHARAN BANJARA R/O
VILLAGE- JORABGANJ, PS. KODHA , DIST. KATIHAR (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 13-10-2023 Heard the parties.

The petitioner is in custody in connection with Daudnagar P.S. Case No. 519 of 2021 for the offence under Section 392 of the Indian Penal Code lodged on 18.09.2021 by the informant, Farzana Khatoon.

As per the allegation in the FIR, the informant alleged that when she withdrew Rs. 49,000/- from the Punjab National Bank, Daudnagar, Branch and was about to sit in an Auto, four unknown persons on the point of pistol looted the bag as also the mobile and fled away. Accordingly, the FIR.

Earlier the case of the petitioner was heard and rejected on 30.08.2022 in Cr. Misc. No. 25140 of 2022.

Again, a fresh application has been preferred whereafter a report was called for, which has since been



received vide Letter no. 80 dated 20.09.2023 according to which, cognizance has been taken in the matter, charges has been framed on 13.07.2023 and the witnesses has been summoned/bailable warrant issued.

Taking into account the fact that the trial is at early stage, he has remained in the custody since 21.02.2022 (as stated in paragraph 10 to the petition), 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) each with two sureties of like amount each to the satisfaction of learned S.D.J.M., Daud Nagar, Aurangabad in connection with Daud Nagar P.S. Case No. 519 of 2021 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 till the conclusion of the trial to mark



his 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 the 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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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