

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59058 of 2022

Arising Out of PS. Case No.-136 Year-2022 Thana- NAUGACHIA District- Bhagalpur

GURUDEO MANDAL @ SANOJ MANDAL @ FUFA SON OF SRI
DASHRATH MANDAL R/O VILLAGE- HARINKOL, P.S.- DHAMDAHA,
DISTRICT- PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 13-03-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 394 and 364 of the Indian Penal Code.

As per the prosecution case, the accused persons committed loot of maize loaded on truck belonging to the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Manish Kumar. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused person has already been granted bail by the co-ordinate bench vide order dated 16.12.2022 passed in Cr. Misc. No. 52508 of 2022. The petitioner is also accused in eight other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 04.08.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Naugachia, Bhagalpur in connection with Naugachia P.S. Case No. 136 of 2022, with conditions:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.



2. If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

The application stands allowed.

(Chandra Prakash Singh, J)

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