

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71130 of 2023

Arising Out of PS. Case No.-91 Year-2023 Thana- SANOKHAR District- Bhagalpur

Arbind Mandal @ Arbind Kumar Mandal Son of Ramanand Mandal R/o vill -
Srimatpur, P.S. - Amdanda, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sanokhar P.S. Case No. 91 of 2023 registered on 13.04.2023 for the alleged offences under Sections 392 & 411 of the I.P.C.

3. As per prosecution case, informant, his cousin and a relative, while coming to their home on a motorcycle in the night, were robbed by three miscreants. The miscreants took away Rs. 21,300/- from the informant. The petitioner is said to be one of the miscreants. He was identified in the light of torch and from his voice. Subsequently, all three miscreants were apprehended by a police team when the police received information about the robbery being committed by three persons at gun point and the police lodged Sanokhar P.S. Case No. 90 of 2023.



4. The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Due to political rivalry two F.I.R. were lodged against the petitioner and two other co-accused persons. The reason behind false implication is that the petitioner is a member of Panchayat Samiti, Amdanda, Gram Panchayat. Near the place of occurrence, there is agricultural land of the petitioner. On the alleged date and time of occurrence the petitioner was irrigating by pumping set his field and looking after the same. Meanwhile, petitioner was paid Rs. 27,500/- by a local businessman as advance price for purchase wheat and subsequently recovery of said amount as looted amount along with one mobile phone were shown in connection with Sanokhar P.S. Case No. 90 of 2023 but even the mobile phone also belongs to petitioner. Petitioner has been granted bail in Sanokhar P.S. Case No. 90 of 2023 by a Co-ordinate Bench vide order dated 04.08.2023 passed in Cr. Misc. No. 45897 of 2023. Another co-accused of this case namely, Ganesh Mandal has also been granted bail vide order dated 02.11.2023 passed in Cr. Misc. No. 69344 of 2023. Charge-sheet has been submitted in this case and petitioner has been remanded in this case on 22.05.2023.

5. Learned APP opposes the submission made on



behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Bhagalpur in connection with Sanokhar P.S. Case No. 91 of 2023, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

annpurna/-

U		T	
---	--	---	--

