

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68346 of 2022

Arising Out of PS. Case No.-585 Year-2022 Thana- KAHALGAON District- Bhagalpur

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RUPESH MANDAL @ RUPESH KUMAR Son of Wakil Mandal R/v- Rani
Diyara, P.S.- Kahalgaon, (Buddu Chak), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, App

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Kahalgaon (Ghogha) P.S. Case No. 585 of 2022 registered for
the offence(s) punishable under Section(s) 395 and 412 of the
Indian Penal Code.

As per the prosecution, the police personnel on
information apprehended co-accused Raja Kumar, who
disclosed the name of this petitioner to be involved in the
alleged crime of loot and on search recovered some mobile
phones from the possession of co-accused persons.

The main submissions advanced by the learned
counsel for the petitioner are that the police firstly apprehended
co-accused Raja Kumar on the allegation of extorting money



from truck driver and the said apprehended co-accused revealed the name of this petitioner and other co-accused persons but the petitioner was not apprehended at the spot and after his arrest in the present matter, the police did not recover any incriminating article from his possession to connect him to the alleged crime of loot and he was also not put on Test Identification Parade and accordingly there is no any legal evidence against the petitioner, though against him, there are criminal antecedents of two cases but the same were lodged in respect of different nature of offences and he is on bail in said cases and petitioner has been languishing in jail since 20.06.2022 in the present matter and the investigation has been completed against him.

Though learned APP appearing for the State has opposed the bail prayer but has not drawn the attention of this Court to any cogent material or evidence being against the petitioner except his criminal antecedents.

In view of the facts, as stated above, 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 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 in connection with Kahalgaon (Ghogha) P.S. Case



No. 585 of 2022.

(Shailendra Singh, J)

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