

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4343 of 2024

Arising Out of PS. Case No.-162 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

Vikash Mandal @ Binayak Shiv Priya SON OF BISHESHWAR MANDAL
RESIDENT OF VILLAGE- ABHAYPUR KASBA, PS- PIRI BAZAR, DIST-
LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-02-2024 Heard the parties.

2. The petitioner is in custody in connection with Piri Bazar P.S. Case No. 162 of 2021 for the offence punishable under sections 147, 148, 149, 448 and 364 of the Indian Penal Code, Section 27 of the Arms Act and Section 16, 18, 20 and 23 of the Unlawful Activities (Prevention) Act, lodged on 24.10.2021, by the informant, Bhagwat Prasad.

3. As per the prosecution story, the accused persons abducted the son of the informant, who was recovered next day. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that during investigation, Mukul Khode was arrested and he named this petitioner in his confessional statement and in this way, he



came to judicial custody since 23.05.2023 (as stated in paragraph-10 of the petition.) Further submission is that similarly situated accused, namely, Sunil Mandal whose name has come in the confessional statement of Mukul Khode has been extended the privilege of bail vide order dated 08.05.2023 passed in Cr. Misc. No. 68953 of 2022.

5. Learned APP opposes the prayer for bail.

6. Taking into account the submission put forward by the parties, the victim boy subsequently returned, he is in custody since 23.05.2023 and similar situated accused, namely Jawahar Yadav (Cr. Misc. No. 29934 of 2023) and Sudhir Kora (Cr. Misc. No. 55851 of 2023) have been extended the privilege of bail, this Court is inclined to extend him the privilege of bail with conditions.

7. 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 ACJM, II, Lakhisarai in connection with Piri Bazar P.S. Case No. 162 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/her 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 fortnight for six months 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.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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