

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17232 of 2024

Arising Out of PS. Case No.-76 Year-2023 Thana- ISMAILPUR District- Bhagalpur

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RATAN MANDAL SON OF RUPAN MANDAL RESIDENT OF VILLAGE
- BINOVA, P.S. - ISMAILPUR, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 26-04-2024 Heard the parties.

2. The petitioner is in custody in connection with Ismailpur P.S. Case No. 76 of 2023 for the offence punishable under Section 392 of the Indian Penal Code lodged on 12.06.2023 by the informant, Roshan Kumar.

3. As per the prosecution story, the informant alleged that brandishing arm, he was looted of Rs. 97,500/- as also certain gadgets. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he has not named in the FIR and only because he has criminal antecedent of the same nature, has been implicated. He further submits that despite being in custody since 27.12.2023 no T.I. Parade took place.

5. Learned APP opposes the prayer for bail stating



that he has criminal antecedent and in that background, in case he is out, there may be delay in framing of the charges.

6. Though the petitioner has criminal antecedent, taking into account the fact that he has not been named in the FIR nor any T.I. Parade was done, is in custody since 27.12.2023 (paragraph-13 of the petition), this Court is inclined to extend him the privilege of bail with conditions after framing of charge.

7. Let the petitioner be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M.-1st Class, Naugachia, Bhagalpur in connection with Ismailpur P.S. Case No. 76 of 2023 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 one year 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.

(Rajiv Roy, J)

Adnan/-

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