

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21768 of 2024

Arising Out of PS. Case No.-4 Year-2023 Thana- LAKHISARAI District- Lakhisarai

BAJRANGI MANDAL Son of Subhash Mandal Resident of Village-Dhanauri
(Dhanari), P.S.-Surajgarha, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-04-2024 Heard Mr.Umesh Prasad, learned counsel for the

petitioner and Mr.Bhanu Pratap Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
28.11.2023 in connection with Lakhisarai P.S. Case No. 04
of 2023, F.I.R. dated 01.01.2023 registered for the offence
punishable under Sections 395,397 of IPC and Sections 25
(1-b) a,26,27,35 of the Arms Act.

3. As per the allegation made in the FIR, the
petitioner along with the other co-accused persons committed
loot of Rs.5,000/- and a mobile phone. One co-accused Raj
Kumar was arrested and taken into police custody where he



disclosed the name of six other co-accused persons including the petitioner, who had fled away from the place of occurrence.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case on the basis of the disclosure made by co-accused person, namely, Raj Kumar and it appears from the FIR as well as the seizure list that nothing incriminating has been recovered from possession of the petitioner rather arms has been recovered from co-accused person, and said co-accused person, namely, Raj Kumar, has been granted bail by this Court vide order dated 24.05.2023 passed in Cr. Misc. No.28577 of 2023 and similarly situated co-accused person, namely, Mukesh Dharhi @ Mukesh Kumar, Santosh Kumar @ Jhaba @ Santan Kumar have been granted privilege of anticipatory bail vide order dated 19.08.2023 passed in Cr. Misc. No. 52189 of 2023, order dated 19.10.2023 passed in Cr. Misc. No.68150 of 2023 respectively and Niraj Mandal @ Niraj Kumar has also granted regular bail vide order dated 17.02.2024 passed in Cr. Misc. No.7580 of 2024 by different Coordinate Benches of this Hon'ble Court. Further submits that till date no TIP has



been conducted by the prosecution and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 28.11.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, let the petitioner, above named, 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 learned C.J.M., Lakhisarai in connection with Lakhisarai P.S. Case No. 04 of 2023, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in



case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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