

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86627 of 2023

Arising Out of PS. Case No.-455 Year-2021 Thana- CHHATAPUR District- Supaul

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Mukesh Mandal @ Mukesh Kumar Mandal SON OF Badri Mandal
RESIDENT OF VILLAGE - RATANSAR, GWALPARA, POLICE STATION
- CHHATAPUR RAJESHWARI OP., SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-01-2024 Heard Mr. Arun learned counsel for the petitioner and

the State.

2. The petitioner is apprehending his arrest in connection with Chhatapur P.S. Case No. 455 of 2021 for the offence under sections 186, 187, 279, 323, 353 and 504 of the I.P.C. lodged on 23.12.2021 by the informant, Ramashankar.

3. As per the prosecution story, the informant has alleged that while doing vehicle checking, one of the vehicle turned and accused tried to escape. Upon interception, they tried scuffling, pushed the chowkidar and escaped with the vehicle. The Chowkidar disclosed the name of the petitioner. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that only



on the basis of local enmity, the Chowkidar has named him. There is nothing on record to show that anything incriminating was recovered/seized and/or the vehicle was a stolen one.

5. Learned APP opposes the prayer.

6. Taking into account the submissions put forward by the parties as also that the petitioner do not have any criminal antecedent and he undertakes to cooperate in the investigation, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-V, Supaul, in connection with Chhatapur P.S. Case No. 455 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 next 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 anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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