

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4002 of 2025

Arising Out of PS. Case No.-250 Year-2024 Thana- SABAUR District- Bhagalpur

Binod Mandal Son of Sukhari Mandal Resident of village - Mamalkha, P.S.-
Sabour, District – Bhagalpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sabour
P.S. Case No. 250 of 2024 dated 06.07.2024, instituted for the
offence punishable under Sections 309(4), 103(1) of the
Bhartiya Nyay Sanhita (B.N.S.) 2023.

3. The prosecution case, in short, is that informant
was going along with vehicle owner to Samastipur for
delivering the Mango. On 06.07.2024 when the informant
reached near village- Masarhu, three four miscreants barged into
the vehicle and snatched the key of the vehicle and looted the
vehicle owner. When the informant and vehicle owner opposed
then the miscreants attacked them and stabbed the vehicle
owner with knife.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that F.I.R. has been lodged against



unknown persons. It is also submitted that petitioner and other co-accused persons were detained by the police on suspicion on 07.07.2024 which has been mentioned in paragraph 19 of the case diary and after sometime they were released on P.R. Bond. On the same day, the spy given information to the police that the said persons were accused in the instant case then the said persons including the petitioner were again arrested on the same day. It is also submitted that all the accused persons accepted their guilt in their confessional statement given to the police. It is next submitted that nothing has been recovered from the conscious possession of the petitioner. The petitioner has been made accused in this case only on the basis of suspicion. It is next submitted that no T.I.P. has been conducted till date. Lastly, it has been submitted that the petitioner is in custody since 08.07.2024 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned C.J.M., Bhagalpur in Sabour P.S. Case No. 250 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

Sankalp/-

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