

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24715 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- TARIYANI CHOWK District- Sheohar

Sanjay Mandal S/o Chandeshwar Mandal @ Vinod Mandal R/o Village -
Madhwapur Mathiyani, P.S.- Madhwapur, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 20-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 317(4), 317(5) and 111(4) of the Bharatiya Nyaya Sanhita.

3. The allegation in the first information report is that some stolen motorcycles have been recovered from the possession of the petitioner and other accused persons. 11 persons in total were arrested from the place of occurrence along with 5 motorcycles and subsequently 2 other motorcycles were recovered from other places at the instances of these accused persons.

4. Learned counsel for the petitioner submits that as a matter of fact there is no recovery of any motorcycle from the



personal or conscious possession of the petitioner and rather he was caught by the police in confusion. It has further been submitted that one master key was recovered from the possession of the co-accused Arjun Kumar who had already been granted bail by a coordinate Bench of this Court vide order dated 21.04.2025 passed in Cr. Misc. No. 18515 of 2025. Further material against the petitioner is his own confessional statement before the police and the confessional statements of other co-accused persons who have no evidentiary value in the eyes of law. It has also been submitted that no independent witness has signed on the seizure list thereby indicating that the mandatory provisions of search and seizure have been violated. The petitioner is in custody since 14.01.2025

5. Learned APP for the State however opposed the prayer for bail on the ground that petitioner is an accused in one other case of similar nature. However, it is submitted in response that the petitioner is on bail in such case and another similarly situated accused person Amit Kumar has already been granted bail by this Court vide order dated 21.05.2025 passed in Cr. Misc. No. 23957 of 2025.

6. In such view of the matter, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.



10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Tariyani P.S. Case No. 13 of 2025, subject to condition that;

(I) One of the bailors would be the family member or relative of the petitioner.

(II) The petitioner would appear physically on each and every date in the learned Court below till the charges are framed.

(III) If the petitioner is found to be made an accused in similar nature of the cases in the future, the learned Court below would consider to cancel his bail bonds.

(Soni Shrivastava, J)

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