

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63423 of 2025

Arising Out of PS. Case No.-195 Year-2024 Thana- KAMTAUL District- Darbhanga

Bipin Mandal @ Binne @ Bipin Kumar son of Sogarath Mandal, R/O
Village-Kauria, Reepur (Raipur) Ward No. 04, PS Nanpur, District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 10-09-2025 Heard Mr. Uday Kumar, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Kamtaul P.S. Case No. 195 of 2024 for the offence under Sections 334(1), 303(2) and 317(2) of the BNS lodged on 13.07.2024 by the informant.

3. As per the prosecution case on 13.07.2024, the informant found that his mobile shop has been burgled into and nineteen mobiles were stolen away from the said shop. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to ulterior motive and only on the basis of suspicion and he has not committed any offence as alleged. From the FIR itself, it is evident



that the FIR is against unknown and the name of this petitioner has surfaced in this case on the basis of confessional statement of a co-accused, namely, Dinesh Chaupal from whose possession the stolen mobiles were recovered while nothing has been recovered from the premises of the petitioner on search made by the police. It has next been submitted that in paragraph-3 of the present petition, it has been stated that petitioner has got one criminal antecedent registered under Section 379, 411/34 of the IPC on which he is on bail. Except confessional statement of the co-accused, Dinesh Chaupal, nothing incriminating has come against the petitioner to connect him with the present offence.

5. On the other hand, learned APP opposes the prayer for anticipatory bail of the petitioner submitting that the petitioner has got one criminal antecedent of similar nature as mentioned in para-3 of the present petition, hence he does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid submissions of the parties and the fact that FIR is against unknown, his name has surfaced in this case on the basis of confessional statement of a co-accused and nothing has been recovered from his conscious possession or from his house, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, 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) with two sureties of like amount each to the satisfaction of learned A.C.J.M-V, Darbhanga in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 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;

(iv) 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.

(Ajit Kumar, J)

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