

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.894 of 2025
In
CRIMINAL MISCELLANEOUS No.76235 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- FULKAHA District- Araria

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Babloo Kumar Mandal @ Babul Kumar Mandal S/o- Mouzilal Mandal
Resident of Village- Motitapu Pathraha W.No-8, P.S.- Fulkaha District -
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 31-01-2025 The present application has been filed for modification of order dated 23.10.2024 passed in Cr. Misc. No. 76235 of 2024, whereby and whereunder the petitioner was granted regular bail. While granting bail the learned trial court was directed to verify whether the motorcycle from which recovery has been made belonged to the petitioner or his close family members and if it was found that the motorcycle belonged to the petitioner or his close family members, the bail bond of the petitioner was not to be accepted. The condition was imposed as there has been submission on behalf of the petitioner



that the petitioner has no concern with the seized motorcycle from which recovery has been made. But it appears the petitioner is the owner of the vehicle from which recovery has been made.

2. Learned counsel for the petitioner submits that the petitioner has been suffering incarceration since 17.08.2024 even after the orders passed by this Court on 23.10.2024. Learned counsel further submits that due to wrong information received from the pairvikar of the petitioner, wrong submission has been made and the petitioner seeks apology for this blunder. Learned counsel further submits that the petitioner is having clean antecedent and recovery of only 16.2 litres of Nepali wine was from the seized motorcycle.

3. Though it is a case of clear concealment, however, considering the fact that the petitioner is in custody since 17.08.2024, he is directed to be released on bail subject to payment of cost of Rs.10,000/- to be deposited in the coffers of Patna High Court Legal Services Committee within two weeks with following conditions:-

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on



each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

4. The order dated 23.10.2024 passed in Cr. Misc. No. 76235 of 2024 stands modified to the extent indicated above.

5. Accordingly, the present petitions stands disposed of.

(Arun Kumar Jha, J)

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