

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16647 of 2017

Arising Out of PS.Case No. -600 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Naresh Mandal, Son of Late Nasib Mandal, Resident of Village-
Gopalpur, P.S.-Gopalpur, District-Bhagalpur. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Kumar Panday

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 28-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Kotwali
(Barari) P.S. Case No. 600 of 2016 registered for the offences
punishable under Sections 457 and 380 of the Indian Penal Code.

Allegedly, the informant after locking her house gave
key to the petitioner and she went to her native village
Bhawanipur. On next day the petitioner informed the informant
that in her house theft has been committed. The informant
suspected the hand of one Subhash Sharma but during
investigation, the name of the petitioner has transpired as one of
the witnesses has stated that the petitioner and his son were seen
going with some articles and accordingly, the petitioner has been
apprehended.

Submission is of false implication and that the



petitioner has been made victim of the circumstances. Only on the basis of suspicion petitioner has been implicated in this case, nothing has been recovered from possession of the petitioner. So far as criminal antecedent is concerned, in that case final form has been submitted and, as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 05.02.2017.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that nothing has been recovered from possession of the petitioner or from his house and, as such, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Nawgachhia in connection with Kotwali (Barari) P.S. Case No. 600 of 2016 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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