

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31181 of 2014

Arising Out of PS.Case No. -75 Year- 2014 Thana -BODHGAYA District- GAYA

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1. Vishwajeet Manjhi @ Sannata Manjhi Son of Bihari Manjhi, Resident of
village- Miya Bigha, Siddharth Nagar, P.S.- Bodh Gaya, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashish

For the Opposite Party/s : Mr. Parmanand Pd.(App)

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

2 29-01-2015 Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest for the offence punishable under sections 457 and 380 of the I.P.C.

Allegedly, the gift box containing about 20 thousand Indian currency and other currency were stolen away from the dining hall of Royal Wat Thai Monastery, Bodh Gaya and during investigation four accused persons were caught and one managed his good escape and gift box was recovered from their possession and they disclosed the name of the petitioner stating that he had fled away. Confessional statement of co-accused Vikram Manjhi also discloses the name of this petitioner.

Submission is that the petitioner has not been arrested

at the spot. Nothing has been recovered from his conscious possession. The gift box was recovered, which was being taken away on a tempo, from possession of those co-accused. Confessional statement made before the Police has got no evidentiary value in the eye of law and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

Considering that the name of the petitioner has come in the confessional statement of a co-accused, besides that there is nothing against the petitioner and as such the petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Gaya in Bodh Gaya P.S. Case No. 75 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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