

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44387 of 2017

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

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Mukesh Mandal Son of Naresh Mandal, R/o Village- Gopalpur, P.S.-
Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

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 UMESH LAL VERMA

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 18-10-2017 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 457 and 380 of the IPC.

The prosecution case is that the informant Mamta Devi went to her native place after locking her residence on 3.11.2016 and gave the key to a familiar person, namely, Naresh Mandal, who is the father of the petitioner. On 4.11.2016 at 6 A.M. Naresh Mandal conveyed the informant on her mobile that theft has been committed between 1 A.M. to 3 A.M. The informant came back and found the lock of the house broken and jewellery and other articles



stolen. Consequently, the FIR was lodged against unknown but during investigation statement of Banbir Kumar Yadav recorded in paragraph 44 of the case diary as gets reflected from the impugned order, suggests that he saw one bundle being taken away by the petitioner and his father. Hence, suspicion was raised that said bundle might have been containing the stolen articles.

It is submitted by learned counsel for the petitioner that only on suspicion accusation has been levelled. No recovery has been made from the petitioner till date though the informant's husband is a police personnel.

Considering the suspicious nature of accusation, let the petitioner above named be released on bail in the event of arrest or surrender within six weeks from today on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Kotwari (Barari) P.S. Case No. 600 of 2016 subject to the conditions laid down in section 438(2) of the Cr.P.C.

Learned court below will be at liberty to cancel the bail bonds of the petitioner in case he defaults on three



consecutive occasions.

(Dinesh Kumar Singh, J)

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