

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31472 of 2018

Arising Out of PS. Case No. -277 Year- 2016 Thana -JAGDISHPUR District- BHAGALPUR

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1. Jitendra Thatheri @ Tateri, S/o Gopal Sah @ Gopal Thatheri, R/o Vill.-
Jogipur, P.S.- Jagdishpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha, Advcoate

For the Opposite Party/s : Mr. Manish Kumar 2, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 22-05-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Jagdishpur P.S. Case No.
277 of 2016 registered under Sections 457, 380 and 411 of the
Indian Penal Code.

The idol of Lord Radha Krishna is said to have been
stolen by some unknown miscreants from the temple.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his
conscious physical possession. He has no concern with the
aforesaid occurrence. He is neither named in the F.I.R. nor was
apprehended on the spot. There is nothing in the record indicating
the complicity of the petitioner in the occurrence barring the
confessional statement of Pintu Kumar which has no evidentiary



value in the eye of law. Though two more criminal cases have been lodged against the petitioner but he is on bail in the aforesaid cases. The petitioner has been languishing in custody since 14.07.2017. Similarly situated co-accused, namely, Monu Jha has been enlarged on bail by a co-ordinate bench of this court vide order dated 20.09.2017 passed in Cr. Misc. No. 42976 of 2017.

Considering the facts aforesaid, the above named petitioner/s is/are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdispur P.S. Case No. 277 of 2016.

(Prakash Chandra Jaiswal, J)

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