

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2622 of 2019**

Arising Out of PS. Case No.-27 Year-2018 Thana- DUMRA District- Sitamarhi

Manchi Pandey @ Manjit Pandey @ Ritesh Kumar Pandey, Aged about 29 years, Gender- male, Son of Madan Pandey, Resident of Village-Baghari, P.S.- Runnisaidpur, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prem Ranjan Raj  
For the Opposite Party/s : Mr. Anil Kumar(App78)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      21-01-2019                      Heard learned Counsel for the petitioner and learned APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 461 and 379 of the Indian Penal Code.

The prosecution case is that on commission of theft on 16.01.2018 at 4.00 A.M., in the mobile repairing shop of the informant the case was lodged against unknown persons. The name of the petitioner sprang up in the confessional statement of co-accused, Nandan Jha and some other co-accused persons.

It is submitted by learned counsel for the petitioner there is no recovery from the physical possession of the petitioner. A statement has been made in paragraph no. 3 of the petition that



the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the impugned order suggests that the name of the petitioner sprang up during investigation.

Considering the fact that there is no recovery from the petitioner and the name of the petitioner sprang up in the confessional statement of the co-accused persons and there is no recovery from the physical possession of the petitioner, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **CJM, Sitamarhi** in connection with **Dumra P.S. Case No. 27 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Deepak/Rahul/-

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