

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16799 of 2019

Arising Out of PS. Case No.-19 Year-2018 Thana- JAIPUR District- Banka *

PAPPU MARANDI Son of Santlal Marandi, Resident of village-Pipra, P.S-
Jaipur, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad
For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
07.01.2019 in a case registered for the offence punishable
under Section 379/34 of the Indian Penal Code.

It is alleged that on 26.05.2018 from the shop of the
informant, 30 bags of rice and 20 bags of wheat were stolen,
leading to registration of FIR against unknown persons.
Subsequently, stolen rice and wheat were recovered from the
house of one co-accused Katti Yadav. During investigation, it
transpired that at the instance of the petitioner, the said theft
was committed.

It is submitted by learned counsel for the petitioner
that only on the basis of suspicion, the petitioner has been



roped in the present case and admittedly, no recovery has been made from the conscious 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.

Learned APP for the State submits that the impugned order suggests that the said theft was committed at the instance of the petitioner.

Considering the suspicious nature of accusation and there being no recovery from the conscious 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 bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1, Banka in connection with Jaipur P.S. Case No. 19 of 2018.

(Dinesh Kumar Singh, J)

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