

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22611 of 2019

Arising Out of PS. Case No.-98 Year-2017 Thana- JAMALPUR District- Munger

Jangali Mandal, aged about 18 years, Male, S/o Ramlakhan Mandal R/o village- Bangali Tola, P.S.- Bariyarpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajit Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-04-2019 Heard both sides.

Petitioner apprehends his arrest in Jamalpur P.S. Case No.98 of 2017, registered under Sections 457 and 380 of the Indian Penal Code.

The informant saw Lambu and his associates standing in his courtyard in the night but seeing the informant the thieves fled away. The informant found money and other articles missing from his house.

Learned counsel for the petitioner submits that petitioner is not named in the FIR. Lambu disclosed the name of his brother and one Dhananjay. During the course of investigation, Dhananjay confessed his guilt and disclosed the name of the petitioner. From perusal of the FIR, it appears that three persons were inside the courtyard of the informant but



Dhananjay, one of the co-accused, disclosed the name of the petitioner. The presence of the petitioner was not at all found at the time of occurrence. Petitioner has got no criminal antecedent.

Considering the facts that petitioner is not named in the FIR but his name figured in the case on the confessional statement of a co-accused but nothing has been recovered from possession of the petitioner and the fact that petitioner has got no criminal antecedent, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, 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 A.D.J.-I, Munger/Successor Court in connection with Jamalpur P.S. Case No.98 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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