

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41359 of 2019

Arising Out of PS. Case No.-119 Year-2018 Thana- JHANJHARPUR District- Madhubani

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Arun Mandal @ Arun Kr. Mandal, Son of Late Mohan Mandal Resident of
Village - Adalpur Ward No. 11 Nagar Panchayat Jhanjharpur, P.S.-
Jhanjharpur R.S., District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Nath Yadav, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-07-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out
of Jhanjharpur Police Station Case No. 119 of 2018
corresponding to G.R. No. 1238 of 2018, disclosing offences
under Section 380 of the Indian Penal Code.

The allegation against the petitioner is that the police on
the basis of an FIR, arrested one Ranjeet Kumar Das for stealing
laptop and mobile of the informant. The stolen laptop has been
recovered from the house of Sujeet Kumar, who stated that the
recovered stolen laptop was purchased on a sum of Rs.4000/-
from the petitioner.

Learned counsel for the petitioner submits that petitioner



is innocent and has committed no offence. He has falsely been implicated in this case and on the basis of statement made by one Sujit Kumar stolen laptop has been recovered. He further submits that petitioner's name has come on the basis of statement taken by co-accused Ranjeet Kumar Das in case diary.

Learned A.P.P. submits that the petitioner does not deserve privilege of anticipatory bail as his name has surfaced on the basis of statement made by a person who is co-accused.

After having heard learned Counsel for the parties and taking in consideration the fact that no recovery of stolen laptop has been made from the possession of the petitioner and further the fact is that petitioner's name has surfaced on the basis of statement made by co-accused Sujit Kumar. Accordingly, this application is allowed.

Let the petitioner, Arun Mandal @ Arun Kr. Mandal, in the event of his arrest or surrender before the Court below within four weeks, 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 A.C.J.M.- Ist, Jhanjharpur, Madhubani, in connection with Jhanjharpur Police Station Case No. 119 of 2018 corresponding to G.R. No. 1238 of 2018, subject to the condition laid down under Section 438 (2) of the



Code of Criminal Procedure. This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

Sujit/
S. Katyayan/-

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