

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.69473 of 2018**

Arising Out of PS. Case No.-119 Year-2018 Thana- BARIYARPUR District- Munger

Bhola Mandal Son of Rajendra Mandal, resident of Village- Brahmasthan,  
Police Station- Bariyarpur, District- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr. Abhay Kumar - 1

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      22-01-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 457 and 380 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was at his house along with her *nati*, the accused person entered into her house and committed theft in his house.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is next door neighbour of the informant. Due to previous enmity, he has been made accused in the present case. The said occurrence is said to have taken place



at 4 a.m. in the morning. The source of identification has not been disclosed by the prosecution which casts doubt regarding the participation of the petitioner in the said crime. The case is triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Munger in connection with Bariyarpur P.S. Case No. 119/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

Pankaj/-

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