

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35675 of 2020

Arising Out of PS. Case No.-196 Year-2020 Thana- MANIHARI District- Katihar

Ashok Bansfore S/O Kanku Bansfore Resident of Village - Railway Line, P.S.
- Manihari, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The instant application for regular bail has been filed by the petitioner in connection with Manihari P.S. Case No.196 of 2020 registered under sections 457 and 380 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that on waking up he found that theft had been committed in his house, the door was open and T.V set and mobile phone had been stolen. The F.I.R. was registered against unknown.

It is submitted by learned counsel for the petitioner that the name of the petitioner transpired in course of investigation on confessional statement of co-accused Baban Mandal. Referring to the order of the learned Court below it is submitted that in his confession the co-accused Baban Mandal



had stated about selling the stolen mobile phone to this petitioner and the mobile phone is alleged to have been recovered from the possession of the petitioner. It is stated that the said allegation/story of the recovery of the mobile phone is incorrect and it is the petitioner who happens to be the owner of the recovered mobile phone. It is submitted that even accepting the confession of co-accused Baban Mandal no offence under sections 380 or 457 of the Indian Penal Code is made out against the petitioner who has no criminal antecedent and is in custody since 7.7.2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner and the period in custody, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Manihari P.S. Case No.196 of 2020 on his furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar.

(Partha Sarthy, J)

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