

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33245 of 2020

Arising Out of PS. Case No.-24 Year-2020 Thana- RAJIVNAGAR District- Patna

KAILASH MANJHI S/o Late Dara Manjhi Resident of Jagdev Path,
Mushahari Pillor No. -10, P.S.- Hawai Adda, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashish

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 457 and 379 of the Indian Penal Code.

Allegedly, on 13-01-2020, some unknown persons
committed theft of the mobiles of different companies, mobile
accessories and cash Rs. 1.5 lacs after breaking the shutter of
the shop of the informant.

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 is not named in the FIR. His name transpired in this case on the basis of confessional statement of co-accused Dablu Kumar @ Dablu Khan. The petitioner has been made accused in the present case due to mistake of fact. There is no recovery of any incriminating article from possession of the petitioner. The petitioner has not been put on test identification parade to ascertain his participation in the alleged crime.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Sub Judge-III-cum-ACJM, Patna in connection with Rajiv Nagar P.S. Case No. 24 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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