

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.804 of 2021

Arising Out of PS. Case No.-11 Year-2020 Thana- MUFFASIL District- Aurangabad

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MANORANJAN KUMAR PANDEY, Son of Shatrughan Pandey @
Satrugghan Pandey Resident of -Jalalpur City, Jamuna -05, Flat No. 303,
Police Station - Rupas, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 03-08-2021 Heard Mr. Sandeep Kumar, learned senior

Advocate for the petitioner and Mr. Kalyan Shankar,

learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Muffasil P. S. Case No. 11 of

2020, dated 14.10.2020, instituted for the offence

under Section 392 of the Indian Penal Code.



A truck loaded with TMT bars of Jindal company was looted while it was on its way from Patratu to Lucknow. The occurrence is said to have taken place at Aurangabad. The driver of the vehicle disclosed that four persons in a Scorpio vehicle had looted the TMT bars.

The petitioner has not been named in the F.I.R. His name has transpired in this case on the confession of one co-accused / Raj Kishor Kumar.

It has been submitted on behalf of the petitioner that the aforesaid confession did not lead to any recovery / discovery. The petitioner is the proprietor of Jagdamba Steel at Danapur and he regularly deals in the iron rods of Jindal Panther Company.

Assuming but not admitting, it has been argued, that some of the TMT bars of Jindal Company was found in the godown of the petitioner, that would not lead to an inescapable conclusion that those bars were the stolen property.

With respect to the recovery of so called stolen



TMT bars, another case was lodged under Section 414 of the Indian Penal Code in which the petitioner has been granted anticipatory bail. The seized TMT bars however have been released in favour of the informant but that has been contested on behalf of the petitioner.

Apart from the two cases, namely, the subject F.I.R. and another F.I.R. for the offence under Section 414 of the Indian Penal Code with respect to the same occurrence, there is no other criminal case pending against the petitioner.

For the facts stated above, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, in connection with Muffasil P. S. Case No. 11 of 2020,



subject to the conditions as laid down under Section 438
(2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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