

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32365 of 2021

Arising Out of PS. Case No.-138 Year-2019 Thana- MITHANPURA District- Muzaffarpur

CHANDAN JHA Son of Mithelesh Kumar Jha Resident of Village - Susta,
P.S.- Sadar Muzaffarpur, District – Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-01-2022 Heard learned counsel for the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of normal court proceedings. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in Mithanpura P.S. Case No.138 of 2019, registered for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

The prosecution case, in short, is that the accused person entered into the house of the informant and looted the house hold articles.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the FIR. It is submitted that on the basis of confessional statement of co-accused, the petitioner is made accused in the present case. It is further submitted that no incriminating article has been recovered either from conscious possession of the petitioner or from his house. It is submitted that the petitioner has not been put on TIP. Similarly situated co-accused, Mahesh Ray has already been enlarged on anticipatory bail vide order dated 16.11.2019, passed in Cr. Misc. No.72640 of 2019. There is no allegation of tampering of witnesses alleged against the petitioner.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-9th, Muzaffarpur in connection with Mithanpura P.S. Case No.138 of 2019, subject to the conditions



laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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