

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58737 of 2021**

Arising Out of PS. Case No.-40 Year-2018 Thana- SITAMARHI District- Sitamarhi

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GANESH KUMAR @ GANESH SHROFF @ GANESH SARAF @
GANESH SHARRAF Son of Ranjay Kumar Swarnkar @ Ranjay Sharafat
Resident of Village - Ward no.9, Mirchaipatti, P.S.- Sitamarhi, Distt.-
Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 11-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Sitamarhi P.S. Case no. 40 of 2018 instituted for the
offence under Section 392 of the Indian Penal Code.

Prosecution case relates to committing loot of two
mobiles with sim and cash of Rs. 4400 from the informant when
he was going his house by rickshaw.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He is not named in the FIR. The stolen articles were
recovered from possession of co-accused Suraj Kumar, who



had confessed that he had purchased it from the petitioner, which has got no evidentiary value in the eye of law.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sitamarhi P.S. Case no. 40 of 2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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