

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44127 of 2023

Arising Out of PS. Case No.-630 Year-2022 Thana- CHAPRA MUFFASIL District- Saran

MANTOSH YADAV @ MANTOSH KUMAR son of Ashok Rai Village-
Chanchaura Ps- Chapra Muffassil Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-08-2023 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 461, 379 and 413 of the Indian Penal Code.

3. The informant alleges that unknown criminals looted his cloth shop, further, cloth worth Rs. 8 lacs along with Rs. 25,000/- was looted.

4. Learned counsel for the petitioner submits that the petitioner has antecedent of one case.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case based on confessional statement of Bhagwan and Ranjan in police custody which has no evidentiary value, it is next submitted that



on their confession, certain articles have been recovered from their associates and not from the petitioner.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the impugned order, it would manifest that based on confession of Bhagwan and Ranjan, certain looted articles were recovered from their associates which definitely points towards the involvement of the petitioner in the occurrence also.

7. Learned counsel for the petitioner, at this stage, submits that petitioner will not abscond, rather, will cooperate in the investigation and will present himself as and when required by the Investigating Officer for eliciting the truth and proving his innocence.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chapra Muffassil P.S. Case No. 630 of 2022 subject to the conditions as laid down



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

9. One of the bailor of the petitioner shall be his father
Ashok Rai.

10. However, it is made clear that in the event if the
Investigating Officer of the case files an application before the
learned Trial Court bringing to its notice that the petitioner
despite giving assurance to this Court is not cooperating in the
investigation or is not producing himself when called, the
learned Trial Court would be at liberty to cancel the bail bonds
of the petitioner after recording reasons.

11. Let a copy of this order be sent to the concerned
P.S. through the learned Trial Court.

(Satyavrat Verma, J)

HarshPandey/-

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