

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45294 of 2023

Arising Out of PS. Case No.-236 Year-2019 Thana- BHAGWANPUR District- Vaishali

MANISH KUMAR PANDEY Son of Vinod Pandey Present Address -
Resident of village - Ram Chaura, P.S.- Hajipur Town, District - Vaishali.
Permanent Address - Resident of village - Sahtha, P.S.- Bhagwanpur, District
- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-08-2023 Heard Ms. Priya, learned counsel for the petitioner
and learned APP for the State.

The petitioner apprehends his arrest in connection
with Bhagwanpur P.S. Case No. 236 of 2019 for the offence
registered under section 392 of the Indian Penal Code lodged on
06.09.2019 by the informant, Rajesh Kumar.

As per the prosecution story, the informant, an Area
Manager of Seva Microfinance on the fateful day, he was
returning home from Hajipur where criminals intercepted him
and snatched his mobile phone, purse, ATM Card/Credit Card.
Accordingly, the FIR.

It is the case of the learned Counsel for the petitioner
that he has nothing to do with the alleged occurrence, the only



fault being that he purchased a mobile with Roushan Kumar which subsequently was found to be one of the mobile snatched by the accused persons. Upon knowledge, immediately his father handed it over to the police but no receipt were provided and found himself implicated.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that one of the mobile was with the petitioner.

Considering the submissions put forward by the learned Counsel for the petitioner that a purchase was made from one of the accused, Roushan Kumar and he do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 236 of 2019 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of



the petitioner, who shall provide official document to show his
bona fide;

(ii) the petitioner shall appear on each and every date
before the Trial court and failure to do so for two consecutive
dates without plausible reason will entail cancellation of his bail
bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned
police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

With the aforesaid observations, the anticipatory bail
application stands allowed.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

