

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52215 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- PANDARAK District- Patna

-
1. PANKAJ KUMAR S/O ARUN PRASAD Resident of village- Gopakita, P.S.- Pandarak, District- Patna.
 2. SUNNY KUMAR S/O ARUN PRASAD Resident of village- Gopakita, P.S.- Pandarak, District- Patna.
 3. SAROJ YADAV @ MENU YADAV S/O CHULAIH YADAV Resident of village- Gopakita, P.S.- Pandarak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Ms. Priyanka Singh
For the Opposite Party/s	:	Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 23-01-2023 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner no.2 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.2.

In view of the aforesaid submission, the application is dismissed as withdrawn as **having become infructuous as against petitioner no.2.**



Petitioner nos. 1 and 3 apprehend their arrest for the offences alleged under Section 414 of the Indian Penal Code, registered in connection with Pandarak P.S.Case No. 22 of 2022.

As per allegation, 20 pieces of iron was recovered from a tractor which are said to be stolen property.

Learned counsel for the petitioners has submitted that the petitioners were not arrested at the spot. They are neither the owner nor the driver of the tractor wherefrom 20 pieces of iron were recovered. He has submitted further that there is nothing on record which shows that the seized property was stolen one. There is nothing against the petitioner, except the confessional statement of co-accused.

Considering the above facts and circumstances, let petitioner nos. 1 and 3, above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, Barh, Patna in connection with Pandarak P.S.Case No. 22 of 2022, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove,



failing which the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

HR/-

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

