

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11442 of 2024

Arising Out of PS. Case No.-434 Year-2023 Thana- SHAHKUND District- Bhagalpur

Sikandar Kumar @ Sikander Manjhi @ Inder Manjhi Son of Suresh Manjhi
Resident of Village- bandhawa, Police Station- Sajour, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Adv.

For the Opposite Party/s : Ms.Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Shahkund (Sajour) P.S. Case No. 434 of 2023 registered for the offences punishable under Section 379 of the Indian Penal Code.

3. As per prosecution case, informant's motorcycle was not found at the place where it was parked. Petitioner told that he has sold the informant's motorcycle, on the basis of query made to him.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR. He further submits that there is inordinate delay of three days in lodging the F.I.R. without any plausible explanation. He further submits that petitioner has falsely been implicated in the



present case on account of previous dispute between the informant and the petitioner. Basically, no incriminating article has been recovered from the possession of the petitioner. Petitioner bears no criminal antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur / Court concerned, Bhagalpur in connection with Shahkund (Sajour) P.S. Case No. 434 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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