

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44539 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- ATRI District- Gaya

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1. Amit Kumar @ Ramit Kumar Son of Sundar Manjhi R/O Vill.- Chahal Mudera, P.S.- Atri, Dist.- Gaya
 2. Harish Chandra Kumar Son of Metal Manjhi R/O Vill.- Chahal Mudera, P.S.- Atri, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-08-2024 1. Heard learned counsel for the petitioners and Mr. Rabindra Kumar learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 379 of the Indian Penal Code as well as Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 1 is aged about 18 years.

4. The informant alleges that he had purchased 1500 bricks for constructing his house and had kept the bricks where the construction was going on and found the bricks missing accordingly the police was informed when the informant along



with villagers saw a tractor coming on which some persons were sitting. The informant saw some pieces of the bricks on the tractor as such he felt suspicion that those persons might have stolen away the bricks, accordingly, the tractor was stopped. Three accused fled away while two accused were apprehended by the villagers, they disclosed their name as Ganesh Yadav @ Vikash Yadav and Devnandan Manjhi. From possession of Ganesh Yadav one loaded country made pistol was recovered and they disclosed the name of the petitioners who fled away from the place of occurrence.

5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and their name transpired based on the extra judicial confession of the apprehended accused. It is further submitted that even presuming what has been alleged is true, the loaded country made pistol was found from the possession of Ganesh Yadav. It is next submitted that petitioners are aged about 18 years and 26 years and in the nature of allegation if they are sent to judicial custody their entire career would get jeopardized and chances are bright that they may come in contact with the hardened criminal.

6. Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Atri P.S. Case No. 23 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. One of the bailors of the petitioners shall be their father Sundar Manjhi and Metal Manjhi respectively.

(Satyavrat Verma, J)

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