

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49690 of 2024

Arising Out of PS. Case No.-226 Year-2023 Thana- BHANGWANPUR HAT District- Siwan

Mantu Mishra @ Santu Mishra Son of Laxman Mishra R/o Village- Kherwa,
P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Bhagwanpur Hat P.S. Case No. 226 of 2023 dated 13-06-2023
instituted for the offence punishable under Sections 379 and
414 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant
had parked his Bolero vehicle and went to take breakfast. In the
mean time, Bolero vehicle was stolen and the miscreants began
to flee away. When the informant chased them, one miscreant
was apprehended who disclosed the name of the petitioner
(Mantu Mishra), Sanjay Sah and Raju Sharma as his associates,
who succeeded in fleeing away.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is submitted that co-accused Keshaw Parvat was apprehended at the spot who disclosed the name of the petitioner as well as Sanjay Sah and Raju Sharma. It is submitted that nothing has been recovered from the conscious possession of the petitioner and there is no cogent material available against him. It is further submitted that other similarly situated co-accused, namely, Sanjay Sah has been granted anticipatory bail by this Court *vide* order dated 10-01-2024, passed in Criminal Miscellaneous No. 82955 of 2023. Other co-accused, namely, Raju Sharma has been granted anticipatory bail by a Co-ordinate Bench of this Court *vide* order dated 20-02-2024, passed in Cr. Misc. No. 8736 of 2024. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Siwan, in Bhagwanpur Hat P.S. Case No. 226 of 2023,



subject to the conditions laid down in Section 438(2) of the
Code of Criminal Procedure, 1973.

(Khatim Reza, J)

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