

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17995 of 2025

Arising Out of PS. Case No.-3 Year-2022 Thana- ISMAILPUR District- Bhagalpur

Sharwan Mandal @ Sharwan Kumar S/O Dinesh Mandal R/O Village-
Jhalludas Tola, P.S- Gopalpur, Distt.- Bhagalpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Thakur

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-07-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 392 of the
Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that five unknown accused looted Rs. 36,885/- from the
informant and his friend, when he was returning after collecting
the amount on 17.01.2022 at 10:45 AM.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case during
the course of investigation based on confessional statement. It is
next submitted that from perusal of the allegation as alleged in



the F.I.R., it would manifest that the informant alleges that the accused while fleeing took the name of Golu and Pankaj, as such, they were named in the FIR and during the course of investigation, Rohit was apprehended who in his confessional statement took the name of the petitioner, it is also submitted that confessional statement before police does not have any evidentiary value, more so, when petitioner is a person with clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that it is a case of road robbery. It is also submitted that investigation is in the nascent stages and in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

6. Considering the submissions made by the learned counsel for the petitioner, 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 bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Ismailpur P.S. Case No. 03 of 2022 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. One of the bailors of the petitioner shall be his father, Dinesh Mandal.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that event the present anticipatory bail order shall lose its effect.

10. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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