

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57844 of 2025

Arising Out of PS. Case No.-88 Year-2023 Thana- BUNIYAD GANJ District- Gaya

Chitan Manjhi @ Tiken Kumar @ Shambhu Kumar S/o Bhuchali Manjhi @
Anil Manjhi R/o Village- Usri, P.S.- Buniyadganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Adv.
For the Opposite Party/s : Mr.Mohammad Sufyan,APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 27-08-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Buniyadganj P.S. Case No. 88 of 2023 instituted under Sections 461/379 of the IPC lodged on 17.03.2023 by the informant.

3. As per the prosecution story in brief, on 17.03.2023, there was burglary in the informant's book shop and Rs. 15,000/- was looted away from the box kept in the said shop. The FIR further reveals that the same incident also took place in the adjacent four shops belonging to Nirranjan Pandey, Kundan Pandey, Raghunath Sao and Sobha Devi.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with ulterior motive. The FIR is against unknown and his name has surfaced



in the present case on the basis of confessional statement made by one co-accused, namely, Karan Kumar and there is no recovery of any incriminating article from the conscious possession of the petitioner. Learned counsel further submits that the petitioner has got only one criminal antecedent bearing Buniyadganj PS Case No.77 of 2023 under Sections 147, 149, 341, 342, 323, 307, 379 and 504 of the IPC wherein he is on bail.

5. Learned APP vehemently opposes the prayer for anticipatory bail submitting that the petitioner has got one criminal antecedent and altogether five shops were looted in the same night. Hence, the petitioner does not deserve privilege of anticipatory bail.

6. Taking into account the submissions of the parties and considering the fact that the FIR is against unknown, petitioner's name has surfaced in this case on the confessional statement of a co-accused and there is no recovery of any incriminating article from the conscious possession of the petitioner, this Court is inclined to extend his the privilege of anticipatory bail.

7. Let the petitioner, named above, be released on bail, in the event of their arrest or surrender before the



subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with aforesaid P.S. Case to the satisfaction of learned A.C.J.M-VIII, Gaya subject to the conditions as laid down under Section 482(2) of the BNSS, 2023 as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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