

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62320 of 2017

Arising Out of PS.Case No. -197 Year- 2016 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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1. Chhotu Kumar Son of Meghu Mahto Resident of village- Khokhsaha,
P.S.- Bibhutipur, District- Samastipur Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-12-2017 Heard the learned Senior Counsel Sri Yogesh Chandra Verma appearing for the petitioner and Mr. Ashok Kumar, learned APP for the State.

Earlier, this court by an order dated 12.06.2017 had rejected the bail petition of the petitioner with an observation that the petitioner may renew his prayer for bail after six months. It appears that thereafter, in between, petitioner had renewed his prayer for bail before this court however, the said period of six months had not been completed. Thereafter, the petitioner appears to have approached the learned trial court for grant of regular bail but his petition for grant of regular bail was rejected by trial court on 20.03.2017.

The present petition has been filed by the petitioner for grant of regular bail in connection with Bariyapur PS case no. 197 of 2016 under Sections 399, 402 of Indian Penal Code and Sections 25(1-b)a, 26,35 of Arms Act. The allegation



against the petitioner is with regard to conspiracy with other accused persons for committing theft. However, it appears that police personnel had pre-empted the said plan of theft and apprehended the said accused persons along with the petitioner and a countrymade pistol was also recovered from the petitioner.

The learned Senior Counsel has submitted that all of the co-accused persons have been granted bail and the chargesheet has also been filed as well as investigation is completed. It is further submitted that the petitioner has already been suitably punished because of his incarceration since 02.12.2016.

For the reasons stated hereinabove and in the facts and circumstances of the case, I deem it fit and appropriate to enlarge the petitioner on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial magistrate Manjhaul, Begusarai in connection with Cheriya Bariyarpur PS case no. 197 of 2016.

(Mohit Kumar Shah, J.)

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