

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56376 of 2018

Arising Out of PS. Case No.-210 Year-2016 Thana- BIBHUTIPUR District- Samastipur

Lakshami Mahto S/o Late Anup Lal Mahto, R/o Vill.- Sakrauli, P.S.- Cheriya
Bariyarpur, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 17-04-2019 Heard both sides.

The petitioner seeks bail in Bibhutipur P.S. Case No.210 of 2016 registered under Section 392 of the Indian Penal Code. Later on, police submitted chargesheet under Sections 392, 212, 216, 216(A), 224 and 412 of the Indian Penal Code.

The learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. During the course of investigation, some looted articles such as PAN Card, Aadhar Card, Identity Card, ATM, Driving License and SIM Card of Airtel and Idea etc. are said to have been recovered from the hut of the petitioner. It is submitted that petitioner is in jail since 16.09.2016 and petitioner has got no criminal antecedent. Petitioner is in jail for more than 2½ years.

A report was called for from A.C.J.M., Rosera about



the reason for delay of conclusion of trial. Learned A.C.J.M. I, Rosera reported that chargesheet under different Sections of the I.P.C. including Section 412 was submitted and some of the offences is triable, therefore, the case has already been committed to the Court of Sessions.

Considering the fact that for recovery of some looted articles, petitioner is in jail for more than 2½ years and petitioner has got no criminal antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Rosera, District Samastipur in connection with Bibhutipur P.S. Case No.210 of 2016, subject to the condition that one of the bailors shall be close relative of the petitioner having substantial immovable property in his name.

(Prabhat Kumar Jha, J)

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