

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73497 of 2019

Arising Out of PS. Case No.-35 Year-2018 Thana- NTPC District- Bhagalpur

CHHOTU KUMAR @ CHOTU KUMAR, aged about 20 years, Male, S/o
Late Raju Mandal, R/o village- Kalgiganj, P.S.- Kahalgaon, District-
Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dhananjay Kumar Pandey, Advocate.
For the Opposite Party : Mr.Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 401, 413, 414 and 411/34 of the IPC.

The prosecution story, in brief, is that the police
arrested one accused person and from whom one Mobile was
recovered and he disclosed the name of the petitioner and others
and they have committed theft in a residential house and stolen
away gold and ornaments which has been sold to the shop of
Bindeshwari Prasad Sah and his son Kundan Kumar Sah and for
which petitioner and others received Rs. 2,00,000/-.

It has been submitted by learned counsel for the
petitioner that the petitioner is languishing in custody since



09.04.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come in the present case on the basis of confessional statement of co-accused Karu @ Ravindra Kumar. There is no recovery of any stolen property or looted property from possession of the petitioner. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State and the informant, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Bhagalpur, in connection with N.T.P.C. Case No. 35/2018.

(Sudhir Singh, J)

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