

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12958 of 2020

Arising Out of PS. Case No.-324 Year-2019 Thana- BAIRIYA District- West Champaran

MANTU SAH @ MANTU KUMAR Son of Late Mangal Sah Resident of
Village - Balua Rampurwa, P.S.- Bairiya, District- West Champaran

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 02-06-2020 The matter has been listed today for consideration through Video Conferencing in view of the Nationwide Lockdown on account of the Covid 19 pandemic.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned APP for the State.

Petitioner seeks bail in Bairiya PS Case No. 324 of 2019 registered under Sections 413, 414/34 of the IPC and Sections 25(1-B)(a)/26/35 of the Arms Act.

The prosecution case alleges that some unknown miscreants have stolen an ATM machine. On information, raid was conducted at the house of the petitioner and other co-accused persons, wherein the ATM machine, cash as well as



arms have been recovered.

Learned Counsel for the petitioner submits that it is a false case which has been hatched by the police just to show false recovery. The petitioner is in custody since 3.10.2019 and no seizure list has been attached with the FIR in support of the alleged recovery.

Learned APP has opposed the prayer for bail. It is submitted that from the case diary it is apparent that Rs.4,31,500/- out of the amount looted from the ATM has been recovered from the petitioner's possession.

Considering the rival submissions and the nature of allegation, this Court for the present is not inclined to allow bail to the petitioner.

This application is dismissed.

(Madhuresh Prasad, J)

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