

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19765 of 2020

Arising Out of PS. Case No.-232 Year-2019 Thana- KISHUNPUR District- Supaul

CHHOTU KAMAT @ CHHOTU KUMAR, aged about 24 years, Gender- Male, Son of Shri Raj Kishor Kamat, Resident of Village - Bhelahi, Police Station - Supaul, District - Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ranjit Kumar Singh, Advocate.
For the Opposite Party : Mr.Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-11-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 392,412 of the I.P.C. and 27 of the Arms Act.

The prosecution story, in brief, is that on 27.09.2019



while the informant being the driver of Pick-up vehicle was going with Newspaper from Bhagalpur to Kishanpur, on the way, some miscreants stopped the vehicle and snatched Mobile phone, gold locket and his vehicle. On information, the police chased the miscreants and apprehended Amit Kumar @ Bauaa Kamat, Deepak Kamat, Birju Kamat and this petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner. No T.I. Parade has been carried out to ascertain the participation of the petitioner in the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks



from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul or the learned concerned court, in connection with Kishanpur P.S. Case No. 232 of 2019, corresponding to G.R. No. 1875/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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