

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18651 of 2020

Arising Out of PS. Case No.-13 Year-2019 Thana- PIRO District- Bhojpur

Chotan Kumar @ Chotak Kumar aged about 28 years (M), Son of Rampati Singh, R/O Village - Baseyon, P.S.- Agiaon Bazar, Dist.- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Dr. Mrityunjaya Kumar Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 31-08-2020 Heard Mr. Manoj Kumar, learned counsel for the petitioner and Dr. Mrityunjaya Kumar Gautam, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Piro P.S. Case No. 13 of 2019 registered for the offence punishable under Section 392 of the Indian Penal Code, 1860.

The allegation against the petitioner as per the First Information Report is that while the informant was going on his motorcycle, he was intercepted by two miscreants on another motorcycle and they snatched away motorcycle and mobile phone of the informant.

Learned counsel for the petitioner submits that petitioner is not named in the First Information Report and he



has falsely been implicated in this case on the basis of confessional statement made by arrested co-accused namely, Rakesh Kumar @ Chhotu. Learned counsel for the petitioner further submits that Rakesh Kumar @ Chhotu has been granted bail by this court in Cr. Misc. No. 5833 of 2020. Learned counsel further submits that another co-accused Rahul Kumar, whose name also transpired in the confessional statement has been granted bail by this Court in Cr. Misc. No. 18847 of 2020. Learned counsel also submits that no incriminating article has been recovered from the possession of the petitioner and he was not put on T.I. parade.

Having regard to the submissions made by the parties and taking into consideration the fact that similarly situated accused persons have been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bhojpur at Ara / court concerned in connection with Piro P.S. Case No. 13 of 2019 on the following conditions:-

- (i) that the petitioner will be well represented on each date in the trial and



if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(ii) that one of the bailors shall be the father of the petitioner.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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