

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19654 of 2020

Arising Out of PS. Case No.-59 Year-2019 Thana- NAYAGAON District- Saran

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DEO KUMAR MAHTO @ DEO KUMAR @ MIA, aged about 35 years (M),
S/o Rajendra Mahto, Resident of Village- Gobindchak (Ambedkar Nagar),
P.S.- Sonpur, District- Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anurag Saurav, Advocate.
For the Opposite Party : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-06-2020 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 from the date of lifting of the lockdown in the
State of Bihar.

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

The petitioner seeks bail in a case for the offence
registered under Sections 356, 379 of the IPC.

The prosecution story, in brief, is that when the



informant has come to open the shop, some miscreants came on Apache Motorcycle and snatched the bag containing Rs. 1,50,000/- as well as key of the Motorcycle, finger print register, cheque books, C.S.P. Stamp and etc.

Earlier bail application of the petitioner was rejected by the then Co-ordinate Bench of this Court vide Cr. Misc. No. 79863 of 2019 under order dated 14.01.2020 with an observation 'at this stage'.

It has been submitted by learned counsel for the petitioner that the petitioner has been remanded in the present case on 21.06.2019. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in the present case on the confession of co-accused in connection with another case. A search was made in which it is alleged that an amount of Rs. 20,000/- has been recovered. The recovered amount has not been put on T.I. Parade to ascertain whether the same is looted amount or not. The petitioner has not been put on T.I. Parade to ascertain his participation in the present case. The seizure list which has been prepared in respect of recovery of



Rs. 20,000/-, the same is in connection with Sonepur P.S. Case No. 310 of 2019. No seizure list has been prepared in connection with the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed to be released on bail on his personal bond to the satisfaction of the learned A.C.J.M.-13, Saran at Chapra, in connection with Nayagaon P.S. Case No. 59 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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