

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25673 of 2020

Arising Out of PS. Case No.-91 Year-2020 Thana- ROSERA District- Samastipur

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AMRESH MAHTO @ RAKESH S/o Ram Nandan Mahto Resident of
Village-Khaira, Ward no.8, P.S.-Rosera, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Zeyaul Hoda, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-09-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

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

The petitioner seeks bail in Rosera P.S. Case No. 91
of 2020, registered for the offence punishable under Section 395
of the Indian Penal Code.

As per prosecution case, while the informant was on
his way, one named accused along with eight unknown
criminals on the point of gun and knife looted away Rs.
3,95,360/- from his possession.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. Petitioner is
not named in the FIR. During course of investigation, name of



this petitioner has come in this case on the confession of co-accused. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. Petitioner is in custody since 17.03.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, Rosera, Samastipur in connection with Rosera P.S. Case No. 91 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

vinita/-

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