

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22923 of 2021

Arising Out of PS. Case No.-175 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

Chhotu Kumar @ Chhotu Rai @ Rakesh Kumar S/o- Chandeshwar R/o
Village- Panapur, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Hajipur Sadar P.S. Case No. 175 of 2018 instituted for the
offences under Sections 394, 414 and 411 of the Indian Penal
Code.

Learned counsel for the petitioner submits that from
bare perusal of the allegation as alleged in the F.I.R. it would
manifest that the informant had alleged that on 22.03.2018
while he was returning to his house at 10.30 pm after purchasing
some article from Hajipur, he was accosted by four miscreants
on two motorcycle who assaulted him and threatened him of
dire consequences and subsequently snatched the motorcycle
and Rs. 2,500/- along with golden chain and mobile but the



informant was able to know the Registration No. of the motorcycle. Further, on hulla being raised, one of the miscreants was apprehended who disclosed his identity as Vishal Kumar and also disclosed the name of the his associate including this petitioner. Further, it is alleged that at the instance of Vishal Kumar, the house of the petitioner was raided from where motorcycle was recovered but the petitioner was not present at the place of occurrence.

Learned counsel for the petitioner submits that he had been falsely implicated in this case and his name has come on the basis of confessional statement of Vishal Kumar who was apprehended at the spot and as far as recovery of the motorcycle is concerned, the same was recovered from the road and not from his house. It is further submitted and that petitioner is in custody since 16.03.2020 and charge-sheet has been submitted in the case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 16.03.2020, charge-sheet has been submitted in the case and the name of the petitioner has surfaced on the confessional statement of the co-accused, let the petitioner above named be



released on bail on furnishing of bail bond of Rs. 10,000/-
(Rupees Ten Thousand only) with two sureties of the like
amount each to the satisfaction of learned J.M. 1st Class,
Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case
No. 175 of 2018 subject to the condition as laid down under
Section 437 (3) Cr.P.C.

(Satyavrat Verma, J)

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