

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30632 of 2021**

Arising Out of PS. Case No.-247 Year-2020 Thana- BATHNAHA District- Sitamarhi

MUKESH RAUT Son of Upendra Raut Resident of Village - Msjholiya, P.S.-  
Bathnaha, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      15-12-2021                      Heard Mr. Ranjeet Kumar Mishra, learned counsel  
for the petitioner and Mr. Rana Randhir Singh, Additional  
Public Prosecutor for the State.

Petitioner seeks regular bail in connection with  
Bathnaha PS Case No. 247/2020 registered for the offence  
punishable under Sections 372/34 of the IPC and Section 25(1-  
b)a, 26/35 of the Arms Act.

The allegation, as per First Information Report, is that  
petitioner along with one another accused person while riding  
on a motorcycle snatched *Mangal Sutra* and a Redmi mobile  
from the informant. It has further been alleged that after chase  
the villagers apprehended the petitioner as well as another co-  
accused, namely, Jawahar Lal and one pistol along with four  
live cartridges have been recovered from the possession of the  
petitioner.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village rivalry at the instance of one Ramesh Rai. He next submits that the country made pistol and cartridges were not recovered from the possession of the petitioner by the police rather the same were handed over to the police by the villagers in order to falsely implicate the petitioner.

Learned counsel next submits that according to First Information Report, the petitioner was apprehended on the spot by the villagers and no *Mangal Sutra* was recovered from the possession of the petitioner. It is also submitted that the petitioner is the owner of the motorcycle which has been recovered from his possession. Learned counsel next submits that the petitioner is in custody since 28.10.2020 and the charge-sheet in the matter has already been submitted.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that no *Mangal Sutra* was recovered from the possession of the petitioner, he is the owner of the motorcycle, he is in custody since 28.10.2020 and the charge-sheet in the matter has already been submitted, I am inclined to grant regular bail to the



petitioner.

Accordingly, let the petitioner, MUKESH RAUT be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi/the court concerned, in connection with Bathnaha PS Case No. 247/2020.

(Anil Kumar Sinha, J)

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