

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28055 of 2020**

Arising Out of PS. Case No.-486 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

RADHE MAHTO Son of Bhuttan Mahto Resident of Village - Parna, P.S.-
Neema Chandpura, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.
For the Opposite Party/s : Mr. B.N.Pandey, APP

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

4 30-01-2021 Heard both sides.

The petitioner seeks bail in Begusarai (Muffasil) P.S.
Case No.486 of 2018 registered under Sections 386, 387 and 34
of the Indian Penal Code and under Section 27 of the Arms Act.

The informant named Dharmendra Kumar and alleged
that she runs a petrol pump. Mukesh Kumar and Tuntun Kumar
are working as salesman in her petrol pump. On 24.08.2018,
Mukesh Kumar, the Manager of the petrol pump disclosed that
the person who used to come and demand extortion came and
demanding extortion. He snatched Rs.25,000/- from the pocket
of Tuntun Kumar. The informant further alleged that the accused
person snatched Rs.1,50,000/- at the point of pistol and he also
fired.



The learned counsel for the petitioner submits that the name of the petitioner surfaced in the case during the course of investigation. Tuntun Kumar, the salesman, in his statement claimed to identify the petitioner as the person who was accompanying Dharmendra Kumar, the named accused but there is no allegation that the petitioner either snatched the money or made firing. It is further submitted that petitioner was not put on T.I.P. and he is in custody since 01.10.2019. Tuntun Kumar claimed to identify the petitioner on the basis of footage of C.C.T.V. but later on, in his statement he identified only two persons namely, Dharmendra Kumar @ Bokna and Kamal Kumar Sahni. He did not name the petitioner in his last part of the statement recorded by the police. It is further submitted that on such evidence, the petitioner has already remained in jail for about one year and four months.

Learned A.P.P. did not dispute this fact.

From perusal of the record, it appears that petitioner also got three criminal cases pending against him out of which two cases are arising out of complaint case.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner and the fact that petitioner has remained in jail for about one year and four



months, let the petitioner, above named, 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 Sri Ravi Ranjan, learned Judicial Magistrate, 1st Class, Begusarai in connection with Begusarai (Muffasil) P.S. Case No.486 of 2018.

(Prabhat Kumar Jha, J)

Saurabh/-

U		T	
---	--	---	--

