

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32905 of 2020

Arising Out of PS. Case No.-138 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

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ROHIT KUMAR @ SONU, S/o Sanjay Kumar Sharraf, Resident of Janki
Asthan, Sitamasrhi Ward No.07, P.S. and District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 05-02-2021 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioners, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 302, 307,
394 of the Indian Penal Code and section 27 of Arms Act.

Informant has alleged that on 18.03.2020 at about
7:50 P.M., her husband Anil Mahto went along with his old
friend Binay Sah and on the way three unknown miscreants
came on white Apachy motorcycle and one of them tried to
snatch the bag containing gold and silver. It is further alleged
that on protest miscreants fired at them thereafter the injured
were taken for treatment where her husband Anil Mahto was
declared dead and Binay Sah received injury in his buttocks.



It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. The name of the petitioner has surfaced on the basis of confessional statement of one co-accused Sanjay Kumar. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 08.01.2021 passed in Cr. Misc. No. 32578 of 2020. Petitioner is in custody since 10.06.2020 having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Runnisaidpur P.S. Case No. 138 of 2020, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) 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.

(S. Kumar, J)

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