

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40158 of 2020

Arising Out of PS. Case No.-414 Year-2020 Thana- MAHUA District- Vaishali

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PACHCHU KUMAR S/o Sri Kishun Singh R/O Village - Parsaunia, Ward
No. 02, Mirja Nagar, P.S. - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr. Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-02-2021 Heard Mr. Rajendra Narayan, learned senior counsel

for the petitioner and Mr. Umesh Lal Verma, learned counsel

appearing for the State.

Petitioner seeks regular bail in connection with
Mahua P.S. Case No. 414 of 2020 registered for the offence
punishable under Sections 399 / 402 of the I.P.C.

The allegation as per the First Information Report is
that Police got secret information that petitioner along with
other accused persons was planning to commit crime, proceeded
towards the place of occurrence and upon seeing the Police
party other accused persons including the petitioner succeeded
in fleeing away and one Raja Babu was arrested. The name of
the petitioner has been disclosed by the arrested accused person
Raja Babu.



Learned senior counsel for the petitioner submits that petitioner has got no criminal antecedent and he has falsely been implicated in this case at the behest of the co-accused, who was arrested by the Police on spot. Learned counsel next submits that the co-accused / Raja Babu on whose confessional statement before the Police the name of the petitioner transpired in the First Information Report has been granted bail by this Court in Cr. Misc. No. 32356 of 2020. Learned counsel next submits that petitioner is in custody since 10.08.2020. Learned counsel also submits that no incriminating material and / or fire arm has been recovered from the conscious possession of the petitioner.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that similarly situated co-accused, who was arrested on spot by the Police has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali / court



concerned in connection with Mahua P.S. Case No. 414 of 2020.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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