

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40869 of 2020

Arising Out of PS. Case No.-282 Year-2019 Thana- SONEPUR District- Saran

Vijay Mahto Son of Mohan Mahto Resident of Village - Govindchak, P.S.-
Sonepur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Saurav, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 10-02-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Sonepur P.S. Case no. 282 of 2019 registered under section 392 of the Indian Penal Code.

As per allegation in the F.I.R., three accused persons on a motorcycle are stated to have looted the informant on the point of a pistol. They dispossessed him of Rs.5,000/- and various other articles as described in the F.I.R.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. Further referring to the pleadings in the bail petition as also the contents of the order of the learned court below, it is submitted that the petitioner has no criminal antecedent. No incriminating article has been recovered from his possession. His name transpired in the confessional statement of Deo Kumar Mahto @ Deo Kumar



@ Mia who has been enlarged on bail vide order dated 28.11.2019 (Annexure-2) passed in Cr. Misc. no.75874 of 2019. The petitioner has not been put on test identification parade. It is further submitted that from the order of the learned court below, it would be evident that the case diary had been perused by the learned court below and none of the submissions were contradicted by the prosecution.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the period of custody together with the petitioner not being put on test identification parade and charge sheet having been submitted, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Sonapur P.S. Case no. 282 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Saran at Chapra.

B.Kr./-

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(Partha Sarthy, J)

