

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2241 of 2022

Arising Out of PS. Case No.-233 Year-2019 Thana- ROSERA District- Samastipur

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SUMAN KUMAR @ SUMAN MAHTO @ SUMANT @ SUMANT
KUMAR SON OF LUTAN MAHTO R/O VILLAGE- MUSHARI, P.S.-
KHODAWANPUR, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate
For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 399, 402 and
414 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35
of the Arms Act.

As per the prosecution case, on information having
been received about the accused persons having gathered and
planning to give effect to an occurrence, it is stated that a raid
was conducted. While some of the accused persons were caught,
others managed to escape.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. He
was neither arrested at the spot nor any incriminating article has



been recovered from his possession. From the contents of the FIR it would transpire that the name of the petitioner transpired in the confessional statement of co-accused Vikash Kumar @ Ballu who has himself been enlarged on bail vide order dated 11.12.2019 passed in Cr. Misc. no. 72455 of 2019. The petitioner is in custody since 24.3.2021 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the FIR, the petitioner having remained in custody for more than 1 year and grant of bail to the co-accused Vikash Kumar @ Ballu, the Court directs the petitioner to be enlarged on bail in connection with Rosera P.S. Case no. 233 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 A.C.J.M-II, Rosera (Samastipur).

(Partha Sarthy, J)

Prakash/-

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