

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6269 of 2022

Arising Out of PS. Case No.-132 Year-2021 Thana- RAMPUR District- Gaya

Chhotu Kumar @ Gabbar @ Laltu Kumar Son of Sri Ramsharan Yadav R/O
Mohalla- Gewal Bigha, P.S.- Rampur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navin Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 26-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

At the outset, learned counsel for the petitioner filed
supplementary affidavit regarding correction of para-3 of the
bail petition before this Court and, same is taken on record,
where criminal antecedent of petitioner shown, as to be involved
in one more criminal case and also regarding correction at page
no.-5 and 6 of the bail petition, in the prayer portion,
inadvertently, police station case number has been wrongly
typed as 'Katihar Muffasil P.S. Case No. 18 of 2019' instead of
'Rampur P.S. Case No. 132 of 2021' and also in the satisfaction
portion, inadvertently, concerned Court typed wrongly, as



'learned Judicial Magistrate 1st Class, Katihar' instead of 'learned Court of Additional Sessions Judge XIII, Gaya'.

The petitioner seeks bail in connection with Rampur P.S. Case No. 132 of 2021 registered for the offence under Sections 392 and 412 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in custody since 21.04.2021.

The allegation against the petitioner is to commit robbery, along with other co-accused persons and, while committing so snatched mobile phone belongs to informant, while traveling, as a co-passenger in a three-wheeler.

Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely been implicated in present case due to previous enmities, as informant was aware about the name of this petitioner. It is submitted that arrest of petitioner made by private persons. It is also submitted that stolen mobile was not recovered by police, which creates further doubt over entire implications. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.



Considering the facts and circumstances as mentioned above, as petitioner was arrested by private persons coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Rampur P.S. Case No. 132 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional Sessions Judge XIII, Gaya/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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