

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33583 of 2021

Arising Out of PS. Case No.-212 Year-2020 Thana- BUDDHACOLONY District- Patna

CHHOTU KUMAR @ KALIYA @ VICKY Son of Late Om Prakash Mahto
R/O - Patna City, Noon ka Chauraha, P.S.- Khajekala, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 31-03-2022 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing for the

State.

Petitioner seeks regular bail in connection with
Budha Colony P.S. Case No. 212/2020 registered for the
offences punishable under Sections 457 and 380 of the
Indian Penal Code 1860.

The FIR has been lodged by the informant that a
theft was committed by unknown thief in his chamber and a
sum of Rs.38,000/- was stolen from the drawer.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the
basis of confessional statement made by the co-accused



Vikash Kumar who was identified in the CCTV footage. Learned counsel further submits that the petitioner has not been put on Test Identification Parade and he was not identified in the CCTV footage during course of investigation. He next submits that no looted article and/or incriminating material has been recovered from possession of the petitioner and co-accused Vikash Kumar has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. 37488 of 2021. The petitioner is in custody since 17.12.2020.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that co-accused Vikash Kumar has been granted bail by a co-ordinate Bench of this Court and no looted article and/or incriminating material has been recovered from possession of the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - II,



Patna, Distt. Patna, in connection with Budha Colony P.S.
Case No. 212/2020 subject to the condition that the
petitioner will be well represented on each date in the trial
and if he fails to do so on two consecutive dates, his bail
bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

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