

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27005 of 2022

Arising Out of PS. Case No.-95 Year-2021 Thana- PURNAHYA District- Sheohar

CHHOTE LAL MAHTO @ CHHOTE MAHTO @ CHHOTE LAL
MAHATO SON OF BAIDYANATH MAHTO R/O VILLAGE- SUPPI
AKHTA, NUNIA TOLA, P.S.- SUPPI, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Dinesh Jha
For the Opposite Party/s :	Mr. Ram Sevak Choudhary
For the State :	Mr. Umanath Mishra

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

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

As per the prosecution case, the informant has alleged that two loaded country-made pistol, four live cartridges, knife, one mobile phone and one motorcycle were recovered from the possession of Karan Kumar @ Gulshan and the two accused persons managed to flee away after seeing the



police whose names were disclosed by Karan Kumar as Raja Kumar and Md. Raza @ Irfan Ansari. He also disclosed the name of others as this petitioner Chhotelal Mahto and co-accused Amit Sah and that they had assembled for committing dacoity.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is also accused in one more case which is related to Excise Act as stated in para 3 of the bail petition. Nothing has been recovered from the possession of the petitioner. It is further stated that one of the co-accused has already been granted bail by a Co-ordinate Bench vide order dated 27.01.2022 passed in Cr. Misc. No. 49470/2021. The petitioner is in custody since 27.08.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, Seohar in connection with Purnahiya P.S. Case No. 95 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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