

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46803 of 2021

Arising Out of PS. Case No.-46 Year-2021 Thana- MAHINDWARA District- Sitamarhi

AMOD BHAGAT Son of Babulal Bhagat Resident of Village Hajipur Basant,
Ward no. 11, P.S. - Mahindwara, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate

For the Opposite Party/s : Ms.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2022 Heard the learned counsel for the petitioner and Ms.
Madhuri Lata, the learned APP for the State.

The petitioner seeks regular bail in connection with Mahindwara PS case no. 46 of 2021 instituted for the offences punishable under Sections 399, 402, 120B of Indian Penal Code and 25(1-b)a, 26, 35 of Arms Act.

The allegation is regarding the police having reached the house of a veteran criminal namely Chiranjeevi Sagar and from his house, other co-accused persons including the petitioner herein were arrested. As far as the petitioner is concerned, upon search, one countrymade pistol and one live cartridge was recovered from his possession.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely



implicated in the present case, is having a clean antecedent and is languishing in custody since 12.03.2021. The learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated in the present case merely due to his presence at the house of a veteran criminal namely Chiranjeevi Sagar.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Sitamarhi in connection with Mahindwara PS case no. 46 of 2021.

(Mohit Kumar Shah, J)

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