

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46701 of 2021**

Arising Out of PS. Case No.-21 Year-2020 Thana- LAXMIPUR District- Jamui

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ROHIT SAH @ ROHIT KUMAR S/o- Rajesh Sah @ Rajeshwar Sah R/o
Village- Singarpur, P.S.- Khaira, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Ashok Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 02-03-2022 Heard the learned counsel for the petitioner and Sri
Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Laxmipur PS case no. 21 of 2020 instituted for the offences punishable under Sections 395, 397, 412 of Indian Penal Code and Sections 25(1-b)a, 26, 27, 35 of Arms Act.

The informant is stated to have received secret information that some miscreants were committing loot, whereafter the informant along with police force had reached at the place of occurrence and had arrested two accused persons namely Mithun Kumar Singh and Sachin Kumar Singh. The said arrested accused persons are alleged to have further disclosed the whereabouts of other miscreants who were also engaged in committing loot. Then the police had arrested one



other miscreant namely Rajan Kumar, who had in turn disclosed the name of the petitioner and others to be his accomplice.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 15.05.2021. The learned counsel for the petitioner has further submitted that as far as the antecedent of the petitioner is concerned, he has been falsely implicated in two other criminal cases on the very same day he was arrested in the present case and one other case has been lodged against the petitioner in connection with recovery of arms/ ammunition from the possession of the petitioner. Lastly, it is submitted that the petitioner has been made an accused in the present case merely on suspicion, however there is no evidence regarding commission of any crime *qua* the petitioner herein.

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 fact that as far as the present case is concerned, there is no material on record to suggest that the



petitioner had engaged in commission of any crime, muchless loot, apart from the fact that he is languishing in custody since about 09 months, 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 J.M. 1st Class, Jamui in connection with Laxmipur PS case no. 21 of 2020.

(Mohit Kumar Shah, J)

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