

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48621 of 2021**

Arising Out of PS. Case No.-346 Year-2020 Thana- CHOUTARWA District- West
Champaran

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MANTU MAHATO @ MANTU MAHTO Son of Dhrup Mahato Resident of
Village - Garbhua, P.S. - Sirisiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sumeet Kumar Singh, Adv.
For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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

2 03-03-2022 Heard.

The petitioner seeks regular bail in connection with Chotarwa P.S. Case No. 346 of 2020, registered for the offence punishable under sections 379 and 411 of the Indian Penal Code.

The allegation is regarding the informant having parked his motorcycle near the house of one Shankar Nonia and then he had gone to the house of Ojha with his aunt, however, when he returned back after some time, he found that his motorcycle was missing.

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 25.02.2021. The learned counsel for the petitioner has further submitted that the maximum sentence which can be awarded for the offences alleged is three years, however, the petitioner has already undergone custody for a period of about one year. It is further submitted that the charge sheet has already been submitted and the investigation is over, hence, no prejudice would be caused to the prosecution if the petitioner is granted bail.

Per contra, Ms. Anita Kumari Singh, the learned APP 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 parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named,



is directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of Additional Chief Judicial Magistrate-1st, Bagaha, West Champaran in connection with Chotarwa P.S. Case No. 346 of 2020.

(Mohit Kumar Shah, J)

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