

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42179 of 2022

Arising Out of PS. Case No.-367 Year-2021 Thana- BANIAPUR District- Saran

Indrajit Kumar Mahto @ Amarjeet Mahto S/O Raj Kumar Mahto, R/O
Village- Nawada, P.S.- Baniyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-11-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Baniyapur P.S. Case No. 367 of 2021 lodged under Section 394
of the I.P.C. and later on Sections 401, 411 and 120(b) of the
I.P.C. have been added.

As per prosecution, the F.I.R. has been filed against 4
unknown accused persons alleging therein that said criminals
have looted Rs.1,50,000/- from the informant.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 04.12.2021 and charge

sheet has already been filed in this case. He also submits that there is 2 criminal cases pending against the petitioner in which he is on bail. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean and Rs.20,000/- has alleged to be recovered from the possession of the petitioner.

Learned counsel for the petitioner has filed a supplementary affidavit in this regard in which he has stated that petitioner was going to market to purchase fertilizer for field and ploughing but the police has arrested the petitioner and seized Rs.20,000/-.

Upon specific query charge has been framed or not, learned counsel submits that charge has not been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Accordingly, the bail petition of the petitioner is hereby rejected. But liberty is hereby granted to the petitioner that he may renew his prayer for bail after 6 months of framing of charge and the trial court is directed to release the petitioner

on bail imposing its own conditions so that petitioner may not evade his appearance during trial.

With this observation, the bail application stands disposed off.

(Dr. Anshuman, J.)

ravishankar/-

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