

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55574 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- BANGAWON District- Saharsa

CHHOTU KUMAR S/o Ram Abtar Tanti Resident of Village- Safabad,
Bariyahi Bazar Ward No.3, P.S.- Bangaon, District- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 392, 411, 414 and 34 of the Indian Penal Code.

As per the prosecution case, three accused persons on a motorcycle on the point of arms dispossessed the informant of his mobile phone and purse besides other articles and escaped. After some time it is stated that the three accused persons returned on the motorcycle, crossed the informant but thereafter met with an accident. They were caught and the petitioner was amongst the three accused. It is further stated that on search, mobile phone of the informant was recovered from the possession of accused Ashish and they disclosed that the motorcycle was a stolen property.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Even as per the allegations in the FIR no stolen property has been recovered from the possession of the petitioner who is in custody since 20.3.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner not having any criminal antecedent and having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Bangaon P.S. Case no. 34 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa.

(Partha Sarthy, J)

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