

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61464 of 2021

Arising Out of PS. Case No.-692 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

SUNIL MAHTO S/o- RAJENDRA MAHTO Resident of Village- Sahbajpur,
P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anjana, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 395 of the Indian Penal Code.

As per the prosecution case, six accused persons looted the informant of a total sum of Rs.26.45 lacs which he was carrying in bags.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. The name of the petitioner transpired in course of investigation when it was stated by the spy that the petitioner was seen moving around with co-accused Chintoo Kumar and others. It is submitted that the prosecution is relying on the C.D.R. report and the confessional statements of Chintoo Kumar as also this petitioner



which are inadmissible. Co-accused Chintoo Kumar has been enlarged on bail vide order dated 4.2.2022 passed in Cr. Misc. no.40633 of 2021. The petitioner is in custody since 10.11.2020 and investigation in the case has concluded.

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

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody for over 1 year, no incriminating article having been recovered from the possession of the petitioner together with grant of bail to the above co-accused Chintoo Kumar, the Court directs the petitioner to be enlarged on bail in connection with Ahiyapur P.S. Case no.692 of 2020 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 Judicial Magistrate 1st Class, Muzaffarpur.

(Partha Sarthy, J)

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