

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51174 of 2022

Arising Out of PS. Case No.-26 Year-2019 Thana- CHAPRA TOWN District- Saran

ANIL MAHTO @ ANIL KUMAR Son of Jagdeyal Mahto Resident of
Village - Paharpur Toeri, P.S.- Desari (Sahdei O.P.), District - Vaishali at
Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-12-2022

The matter has been taken-up through video
conferencing.

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

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offence punishable under Sections 392/412 of
the Indian Penal Code.

Allegation is against unknown persons of snatching
the keys on gunpoint and taking away the Scorpio vehicle of the
informant.



Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is not named in the F.I.R and during investigation one co-accused, namely, Vikash Kumar disclosed the name of the petitioner and on the basis of confessional statement he has been implicated in this case. It is submitted that Vikash Kumar has been granted bail *vide* order dated 01.05.2019 passed in Criminal Miscellaneous No. 28911 of 2019 and other similarly accused persons, namely, Amarjit Singh has been also granted bail *vide* order dated 19.10.2020, passed in Criminal Miscellaneous No. 26942 of 2020. There is no recovery from the conscious possession of the petitioner. It is further submitted that the petitioner is in custody since 20.04.2022, has criminal antecedents of three cases and charge-sheet has been filed in this case.

Learned A.P.P for the State opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in



connection with Chapra Town P.S. case no. 26/2019, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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