

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63582 of 2021

Arising Out of PS. Case No.-148 Year-2021 Thana- KHODAWANDPUR District- Begusarai

CHHOTU @ ABNISH KUMAR Son of Ramchandra Mahto R/o Village-
Bashi, Ward No. -8, P.S.- Cheriya Bariyarpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 66342 of 2021

Arising Out of PS. Case No.-148 Year-2021 Thana- KHODAWANDPUR District- Begusarai

SUNIL KUMAR MAHTO @ SUNIL MAHTO S/o Ram Pavitra Mahto R/o-
Vill. - Daulatpur, P.S. - Khodawandpur, Dist. - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 66877 of 2021

Arising Out of PS. Case No.-148 Year-2021 Thana- KHODAWANDPUR District- Begusarai

SAURAB @ SAURAB KUMAR @ SACHIN KUMAR Son of Arun Kumar
@ Arun Mahto @ Arun Kumar Mahto Resident of Village- Bashi, P.S.-
Khodabandpur (Cheriya Bariarpur), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Patna.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 63582 of 2021)

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Umesh Lal Verma

(In CRIMINAL MISCELLANEOUS No. 66342 of 2021)

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Nand Kishore Pd.

(In CRIMINAL MISCELLANEOUS No. 66877 of 2021)

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni



CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 27-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Khodawandpur P.S. Case No. 148/2021 registered for the offences punishable under Sections 411, 413, 414, 419, 420, 468/34 of the Indian Penal Code.

As per prosecution case, stolen motorcycles were recovered from the possession of the petitioners for which on demand they did not produce any documents.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case due to dirty village politics. The petitioners, Chotu @ Abnish Kumar and Saurab @ Saurab Kumar @ Sachin Kumar are languishing in custody since 13.07.2021 and petitioner, Sunil Kumar Mahto @ Sunil Mahto is languishing in custody since 12.07.2021 and they bear no criminal antecedent. No incriminating article has been recovered from the conscious possession of the petitioners. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. Co-accused, Ram Babu Kumar @ Rama Babu Singh has been granted bail by the co-ordinate Bench of



this Court vide Cr. Misc. No.67421/2021 and the case of present petitioners stands more or less on similar footing.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, which is more than one year, co-accused has already been granted bail, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and keeping in view clean antecedent of petitioners and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Manjhaul (Begusarai) in connection with Khodawandpur P.S. Case No. 148/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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