

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68537 of 2021

Arising Out of PS. Case No.-262 Year-2019 Thana- RAGHOPUR District- Supaul

AMOD KUMAR S/o Khatar Yadav R/o village- Basaha (Bishanpur), Ward
No. 13, P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Kumar Mehta
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Raghopur Police Station Case No. 262 of 2019, G.R. No. 799 of
2019 registered for the offences punishable under Sections
399/402/353/307/414 of the Indian Penal Code and Sections
25(1-b)a/26/ 35/27 of the Arms Act.

The allegation, as per the First Information Report is
that the Police Party got information that some miscreants who
were involved in gold loot of Muthoot Finance of Hajipur
branch were hiding in the house of Chulhai Sharma @ Gulab
Sharma of village Hulas, proceeded towards the place of
occurrence and conducted raid in that house and after seeing the
Police Party all the miscreants opened 35-40 rounds fire upon



the Police Party. In return, the Police also fired 21 rounds upon the miscreants. However, some of the miscreants including the petitioner succeeded in fleeing away, but the Police party arrested three accused persons and recovered one Glamor motorcycle looted by Mukul Rai, Fuddan @ Vishal and the petitioner on gun point.

Learned Counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case by the police with oblique motive. Learned counsel further submits that name of the petitioner has transpired in this case on the basis of the confessional statement of the co-accused / Rahul Kumar Mandal. He next submits that the petitioner is having no criminal antecedent and he is in custody since 25.03.2021. He further submits that the co-accused / Chulhai Sharma @ Gulab Sharma and Rahul Kumar Mandal have been granted bail by this Court vide Cr. Misc. Nos. 26074 of 2020 & 51065 of 2021.

Regards being had to be submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner has clean antecedent, he has remained in custody since 25.03.2021 and similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant regular



bail to the petitioner.

This application is accordingly allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Birpur at District – Supaul in connection with Raghapur Police Station Case No. 262 of 2019, G.R. No. 799 of 2019 on the following condition:-

(a) that the petitioner shall present himself before the Court as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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