

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.542 of 2022

Arising Out of PS. Case No.-113 Year-2021 Thana- DERNI BAZAR District- Saran

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ASHOK KUMAR @ ASHOK KUMAR MAHTO Son of Ram Bahadur
Mahto @ Timan Mahto Resident of Village - Barbatia, P.S.- Sonpur, District-
Saran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate
For the Opposite Party/s : Ms. Anita Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 457 and 380 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 01.08.2021, charge-sheet has been
submitted and has antecedent of twelve cases. Learned counsel
further submits that there was only one case against the
petitioner but after institution of the present case he came to be
remanded in the cases mentioned at para 3 of the bail
application in one goal.



The informant alleges that on 12.09.2021, some unknown thieves committed theft in his house which was informed by his family members. Further, the thieves committed theft of entire ornaments along with Rs.2,00,000/- cash from the Godrej Wallet and silver ornament which was kept in a separate bag outside the room and thereafter the thieves also committed theft in the house of the neighbour of the informant Kanhaiya Prasad.

Learned counsel for the petitioner submits that the FIR is against unknown and name of the petitioner transpired in the confessional statement of co-accused Jyotish Kumar which has no evidentiary value. Learned counsel next submits that no incriminating article was recovered from the possession of the petitioner to even remotely connect him with the offence.

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

Considering the fact that the petitioner is in custody since 01.08.2021, charge-sheet has been submitted and no incriminating article was recovered from possession of the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Court below where the case is pending in
connection with Derni P.S. Case No. 113 of 2021.

(Satyavrat Verma, J)

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