

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9155 of 2023**

Arising Out of PS. Case No.-345 Year-2022 Thana- SIWAN CITY District- Siwan

Sabindra Mahto @ Bhuwar Mahto @ Bhuwar S/O Jagmohan Mahto R/O
Village- Bharatpur, P.S- G.B. Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy

For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 31-07-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under Section
395 of the Indian Penal Code.

It is alleged against the petitioner that he along
with other co-accused persons have committed dacoity in
Indian Bank, Siwan Unit and looted cash of Rs.
22,44,116/-

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. The petitioner is not named



in the F.I.R and his name subsequently sprang up during the course of investigation. During investigation, no cogent material evidence has been collected against the petitioner. So far as recovery of Rs. 2 lakhs from the house of the petitioner is concerned, it is submitted that the aforesaid money belongs to Sriman Gupta as he given the said money to the petitioner to keep it in his safe custody and when he came to know about the present case, he filed a petition in the Court of learned ADJ, VII, Siwan for release of seized cash of Rs. 2 lakhs as he claims to be the owner of said seized cash of Rs. 2 lakh. The petition of Sriram Gupta has been annexed as Annexure-P/3 of the supplementary affidavit. There is general and omnibus allegation against the petitioner. The petitioner has still not been put on T.I.P. The petitioner has been implicated in this case due to his criminal antecedents. The petitioner is languishing in custody since 04.06.2022. Moreover, other similarly situated co-accused has been granted bail by a



coordinate Bench of this Court vide order dated 16.03.2023 passed in Cr. Misc. No. 70337 of 2022.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VII, Siwan in connection with Siwan Town P.S. Case No. 345 of 2022.

(Sunil Kumar Panwar, J)

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