

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19686 of 2023

Arising Out of PS. Case No.-26 Year-2008 Thana- BATH District- Bhagalpur

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SANTOSH KUMAR, S/o Late Rameshwar Mahto, R/o Village- Nauwagarhi,
P.S.- Naya Ramnagar, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of
regular bail in connection with S. T. No. 869/2009 arising out of
Bath P.S. Case No. 26 of 2008 dated 16.10.2008 registered for the
offences punishable u/s 395, 412, 120(B) of the Indian Penal
Code.

As per the prosecution case, the informant was returning
to home from the shop on a motorcycle with her staff then five
miscreants intercepted the motorcycle and one of the miscreants
caught hold of her sari due to which the informant fell down on the
ground. Thereafter, miscreants looted the purse containing Rs



6000/- and cash memo, telephone bill, Pension pasbook etc on the point of pistol. They also looted the ornaments from the informant. The petitioner was apprehended by the villagers and one cartridge and one country-made pistol were also recovered from the possession of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.09.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with S.T. No. 869/2009 arising out of Bath P.S. Case No. 26 of 2008.

The application stands allowed.

(Chandra Prakash Singh, J)

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