

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21300 of 2023

Arising Out of PS. Case No.-987 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

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ROHIT KUMAR @ ROHIT MAHTO SON OF BILTU MAHTO RESIDENT
OF VILLAGE - EKARA, P.S. - HAJIPUR SADAR, DISTT. - VAISHALI @
HAJIPUR

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachin Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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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 Hajipur Sadar P.S. Case No.

987 of 2021 dated 07.11.2021 registered for the offences

punishable u/s 399, 402, 414 of the Indian Penal Code and 25(1-

b)a, 26, 35 of Arms Acts.

As per the prosecution case, the police received

information that 4-5 miscreants boarded on motorcycles



committed loot near Rai Virendra College. When the informant along with other police personnel reached the spot thereafter all the miscreants started fleeing away and on chase two persons with two motorcycles were apprehended and on search, a country made pistol with 0.315 bore of live cartridges from the possession of co-accused Suraj Kumar and a live cartridges from the possession of the co-accused Chandan Kumar were recovered. The name of the petitioner has transpired in the confessional statement of co-accused who was apprehended on spot.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of co-accused Suraj Kumar who has already been granted bail by the Coordinate Bench of this Court vide order dated 22.04.2022 passed in Cr. Misc. No. 10117 of 2022. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.12.2022.

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, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 987 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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