

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37965 of 2023

Arising Out of PS. Case No.-423 Year-2022 Thana- ROSERA District- Samastipur

MAHESH KUMAR SON OF KUSHESHWAR MAHTO R/O VILL
GOPALPUR MIRZAPUR WARD NO 11 PS VIDYAPATINAGAR, DIST-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Ram Anurag Singh

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

ORAL ORDER

3 08-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rosera P.S. Case No. 423 of 2022 dated 12.12.2022 registered for the offences punishable u/ss 411, 412 and 414 read with section 34 of the Indian Penal Code and Section 25(1-B)a, 26(1) and 35 of the Arms Act.

3. As per the prosecution case, the petitioner and the other co-accused persons are alleged to have committed dacoity in the Central Bank of India and in the meantime the co-accused Raju Kumar was apprehended and on search, a loaded countrymade pistol and Rs. 28,81,105/- in cash were recovered



from his possession. Three miscreants were apprehended by the police who disclosed their names as Mahesh Kumar, Pintu Kumar and Ankit Kumar and also disclosed the name of person as Nitesh Kumar who fled away on motorcycle. Police also recovered Rs. 15,52,500/- in cash and a loaded country made pistol and cartridges from the other co-accused persons. Police recovered Rs. 10 lakhs from the house of Nitesh Kumar Singh.

4. 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. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 24.06.2023 passed in Cr. Misc. No. 33463 of 2023. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 13.12.2022.

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

6. 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, Rosera, Samastipur in connection with Rosera P.S. Case No. 423 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Alok Verma/-

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