

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40876 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- BARAUNI RAIL P.S. District- Begusarai

MAHESH MAHTO S/O LATE RAM VILASH MAHTO R/O Village-
Simariya Ghat, Bind Toli, P.S- Barauni, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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

ORAL ORDER

2 19-07-2023 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 Barauni Rail P.S. Case No. 69 of 2023 dated 26.03.2023. registered for the offences punishable under Section 401 and 414 read with 34 of the Indian Penal Code.

As per the prosecution case, on seeing the police, the petitioner and the co-accused persons started fleeing away but one person was apprehended by the police who disclosed his



name as Anil Kumar Sah and also disclosed the names of persons who fled away as Amit Kumar Mishra, Rajiv Kumar, Bipin Kumar, Guddu Kumar, Shambhu Kumar and the petitioner Mahesh Mahto. On search, one mobile phone, one blade and one *pilas* was recovered.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 12.07.2023 passed in Cr. Misc. No. 37633 of 2023. The petitioner is accused in two other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 28.03.2023.

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, Barauni (Begusarai) in connection with Barauni Rail



P.S. Case No. 69 of 2023.

The application stands allowed.

(Chandra Prakash Singh, J)

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