

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51081 of 2023

Arising Out of PS. Case No.-188 Year-2021 Thana- BAKHARI District- Begusarai

Chhotu Mahto @ Chhotelal Kumar, male, aged about 21 years, S/o Ramu Mahto, R/o Village- Godhiyari, P.S.- Hasanpur, Distt.- Samastipur at present residing at Village- Goha, P.S- Hasanpur, Distt.- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Saket Kumar, Advocate
For the Opposite Party : Mr. Ram Sumiran Rai, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Bakhari P.S. Case No. 188 of 2021 dated 04.07.2021, instituted for the offence punishable under Section 392 of the Indian Penal Code.

3. Allegation is of looting the informant's motorcycle, mobile phone and cash of Rs. 1,90,000/-.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. The entire allegations levelled against the petitioner is false and concocted. The name of the petitioner has come in this case only on the basis of the confessional statement of another



co-accused. No stolen articles have been recovered from the possession of the petitioner. It is further submitted that another co-accused, namely, Md. Siraj has already been granted anticipatory bail by a Co-ordinate Bench of this Court *vide order dated 12.09.2022 passed in Criminal Miscellaneous No. 15354 of 2022*. Lastly, it has been submitted that he has one criminal case is pending against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bakhari P.S. Case No. 188 of 2021, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Begusarai, subject to conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Khatim Reza, J)

Gaurav Kumar/-

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