

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.56016 of 2023

Arising Out of PS. Case No.-5 Year-2022 Thana- CHACKMEHSI District- Samastipur

Raju Kumar Mahto @ Raju Kumar Son Of Surendra Mahto R/O-Hajpurba,
P.S.-CHAKMEHSI, Distt.-SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

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

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

ORAL ORDER

3 10-11-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Chakmehsi P.S. Case No. 05 of 2022 dated 09.01.2022 registered for the offence punishable u/s 395 of the Indian Penal Code.

4. As per the prosecution case, six unknown miscreants are alleged to have entered the Flipkart office and looted Rs. 18,28,730/- on the point of pistol and took away DVR of CCTV and resorted three rounds of firing when the staffs chased them.

5. Learned counsel for the petitioner has submitted



that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused. There is nothing against the petitioner except the confessional statement. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 12.10.2022. passed in Cr. Misc. No. 13416 of 2022.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur in connection with Chakmehsi P.S. Case No. 05 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

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(Chandra Prakash Singh, J)

