

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55336 of 2023

Arising Out of PS. Case No.-5 Year-2020 Thana- IMAMGANJ District- Gaya

Ashok Mahto@ Vijay Jee Son Of Late Govardhan Mahto Resident Of
Village- Chandri Govindpur, Ps- Pratap Pur, Distt- Chatra , Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

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

ORAL ORDER

2 31-08-2023 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.

2. Heard learned counsel for the petitioner and learned
A.P.P for the State.

3. The petitioner has preferred this application for
grant of regular bail in connection with S.Trial No. 566 of
2023 / 1316 of 2023 arising out of Imamganj P.S. Case No. 05
of 2020 dated 10.01.2020 registered for the offences punishable
u/ss 395 and 412 of the Indian Penal Code.

4. As per the prosecution case, five unknown
miscreants came and looted away their trucks, mobile phones
and other important documents from the informant, his brother



and driver and *khalashi* of the other truck.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused Gautam Kumar Choudhary. The said looted truck was recovered from a lonely place near R.C. canal behind the power house under Gurua Police Station. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused, Gautam Kumar Choudhary has already been granted bail by the co-ordinate bench of this court *vide* order dated 18.01.2022 passed in Cr. Misc. No. 26546 of 2021. The petitioner has ten other criminal cases and he is on bail in the said nine criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 06.08.2022.

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

7. 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, Sherghati, Gaya in connection with S.Trial No. 566 of 2023 / 1316 of 2023 arising out of Imamganj P.S. Case No. 05 of 2020, with the following condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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