

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61531 of 2022

Arising Out of PS. Case No.-343 Year-2022 Thana- BUXAR MUFFSIL District- Buxar

RAM BABU MAHTO @ RAMBABU MAHTO Son of Late Ramashanker
Singh @ Ramashankar Singh @ Ramashankar Resident of Village- Chausa,
P.S.- Buxar (M), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-02-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Buxar (Muffasil) P.S. Case No. 343 of 2022 for the offence registered under Sections 399, 402, 414, 120(B) of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The informant who is Officer-in-Charge of Buxar (Mufassil) Police Station is stated to have received a secret information on 05.08.2022 at about 5.00 A.M. in the morning that some miscreants had assembled at the alleged place to commit some crime, whereupon the informant



alongwith his police force had reached at the place of occurrence and arrested the petitioner as well as four other miscreants. As far as the petitioner is concerned, one country made pistol and five live cartridges, one mobile phone, a sum of Rs. 20,000/- cash and some other articles were recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 06.08.2022. The learned counsel for the petitioner has further submitted that since the petitioner is having a bad antecedent, he has been falsely implicated in the present case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record though I am not inclined to



grant bail to the petitioner, at the moment, considering his bad antecedent, however, I deem it fit and proper to direct for release of the petitioner on bail, immediately upon framing of charges by the learned trial Court, subject to such conditions as may be deemed fit and proper to be imposed by the learned Court of C.J.M., Buxar in connection with Buxar (Muffasil) P.S. Case No. 343 of 2022.

The petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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