

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13101 of 2024

Arising Out of PS. Case No.-9 Year-2023 Thana- ROSERA District- Samastipur

Rajesh Mahto @ Kari Mahto @ Rajesh Kumar Son of Hari Narayan Mahto
Resident of Village- Rampur Ghat, Panchayat Gopalpur, P.S.
Cheriyabariyarpur, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Binod Kumar Sinha, Advocate Mr. Shishir Kumar Shishir, Advocate
For the State	:	Mr. Pranav Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Rosera
P.S. Case No. 09 of 2023 instituted for the offence under
Sections 393, 307 & 414 of the Indian Penal Code and Sections
25(1-B)a, 26, 27 & 35 of the Arms Act.

3. As per prosecution case, petitioner was accosted
with three accused persons whereafter on the pistol point they
tried to snatch his bag and fired upon him. On ruckus, people
came there and apprehended one of the accused persons,
namely, Abhishek Kumar, who disclosed the names of his two



associates including the petitioner.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20-09-2023. Petitioner bears three criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner was not arrested on the spot. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused, namely, Abhishek Kumar, and the same has no evidentiary value. Nothing has been recovered from the conscious possession of the petitioner. Charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and manner of implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rosera P.S.



Case No. 09 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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