

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31391 of 2024

Arising Out of PS. Case No.-103 Year-2023 Thana- BACHHWARA District- Begusarai

Chhotu Kumar @ Chhotu Son of Indradeo Mahato @ Rudal Mahto Resident
Of Village - Manopur, P.S.- Bhagwanpur, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 24-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bachhwara P.S. Case No. 103 of 2023, instituted for the offences punishable under Sections 392, 397 and 412 of the Indian Penal Code.

3. The prosecution case, in short, is that, three miscreants stopped the motorcycle of the informant, took out the key of his motorcycle, snatched his mobile, cash and other articles on gun point and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. It is further submitted



that the petitioner is not named in the F.I.R. Name of the petitioner has transpired on the basis of confessional statement of co-accused Vikram Kumar. Except confessional statement of co-accused, there is nothing alleged against the petitioner. The petitioner is in custody since 05.11.2023 and has got six criminal antecedents in which the petitioner is on bail in all cases.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bachhwara P.S. Case No. 103 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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