

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51143 of 2024

Arising Out of PS. Case No.-866 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Chitranjan Mahto @ Chitranjan Singh Son of Shankar Singh R/O Mohalla-
Takiya, P.S.- Sasaram Town, Dist.- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar Singh Ms. Alka Singh Me. Shivam Kumar Singh
For the Opposite Party/s	:	Mr. Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 23-08-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State.
2. The petitioner seeks regular bail in connection with Sasaram Town Police Station Case No. 866 of 2023, dated 18.09.2023, registered for the offence punishable under Sections 302/201/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 18.03.2023, during the petrolling, the police received a secret information that two persons on motorcycle are coming with fire arm, proceeded towards the place of occurrence and intercepted one motorcycle, but the person, who was driving the motorcycle, started fleeing away. However, the police, upon chase, arrested



the pillion rider and the driver of the motorcycle succeeded in fleeing away. The police recovered automatic pistol along with live cartridge from the possession of the pillion rider. The pillion rider has disclosed the name of the petitioner, who succeeded in fleeing away.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of confessional statement of the arrested co-accused and no fire arm has been recovered from the possession of the petitioner. He further submits that the petitioner has got no criminal antecedent of similar nature of offence and co-accused person Shambhu Kumar Singh, from whose possession fire-arm has been recovered has been granted regular bail by a co-ordinate Bench of this Court, vide order, dated 04.03.2024, passed in Criminal Misc. No. 86518 of 2023. He next submits that the petitioner is in custody since 08.04.2024.
5. Regards being had to the submissions made by the parties and taking into consideration the fact that the petitioner has got no criminal antecedent of similar nature of offence, no fire arm has been recovered from the



possession of the petitioner and co-accused has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Chief Judicial Magistrate, Rohtas, at Sasaram, in connection to the Sasaram Town Police Station Case No. 866 of 2023.
- 8. This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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