

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65306 of 2024

Arising Out of PS. Case No.-196 Year-2022 Thana- RAHIKA District- Madhubani

Chhotu @ Md. Saddam Son of Md. Sabir @ Sabir Resident of Village -
Bhelwa, P.S.- Jaynagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Harendra Prasad

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

ORAL ORDER

2 30-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rahika P.S. Case No. 196 of 2022, corresponding to G.R. No. 1590 of 2022 dated 26.09.2022 registered for the offences punishable u/ss 399 and 402 of the Indian Penal Code and 25 (1-B)A, 26 and 35 of the Arms Act.

3. As per the prosecution case, on secret information, police reached the spot and apprehended three accused persons while making preparation to commit loot and on search one country made Katta and one live cartridge were recovered from the possession of the co-accused Rahul Kumar and three mobile



phones and two motorcycles were also recovered from them who also disclosed the name of the other accused persons who fled away from the spot.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner was not apprehended on the spot. The name of the petitioner has sprung up in the confessional statement of the apprehended co-accused persons. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has seven criminal antecedents and he has been acquitted in three criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 30.08.2023.

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

6. 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, Madhubani in connection with Rahika P.S. Case No. 196 of 2022, corresponding to G.R. No. 1590 of 2022, 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 be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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