

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67440 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- MOKAMAH District- Patna

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Krishna @ Kishan Mahto @ Krishna Kumar Mahto S/O Sri Basant Mahto
Village- Bihat, Ps. Barauni, Dist. Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Manglam, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Mokama P.S. Case No. 71 of 2023, registered for the alleged offence under Section 392 of the Indian Penal Code.

03. As per prosecution case, four miscreants robbed the informant of his loaded pick-up van at gunpoint. The name of the petitioner transpired during investigation as one of the accused persons.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case at the instance of his enemies in collusion with the local police. Except for suspicion, nothing has been alleged against



the petitioner and his name has been disclosed in this case by co-accused in his confessional statement, which has got no legal sanctity. Nothing incriminating has been recovered from the person or possession of the petitioner, who has got no criminal antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the lack of material against the petitioner to connect him with the offences as alleged and further considering the clean antecedent of the petitioner and possibility of false implication, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Barh, Patna/concerned court in connection with Mokama P.S. Case No. 71 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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