

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70626 of 2024

Arising Out of PS. Case No.-880 Year-2023 Thana- RUPASPUR District- Patna

1. Anil Mahto @ Anil Kumar Son of Late Ramashish Mahto @ Ramaashish Mehata Resident of Math Par Lakshmanpur Koiri Tola, P.S.- Alamganj, District- Patna
2. Pankaj Mahto @ Pankaj Kumar Son of Ashok Mahto Resident of Math Par Lakshmanpur Koiri Tola, P.S.- Alamganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Adv.
For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Sessions Trial No. 1155/2024 arising out of Rupaspur P.S Case No. 880 of 2023 dated 27.10.2023 registered for the offence punishable u/ss 399, 402 and 414 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, after receiving secret information that some miscreants were making preparation to commit crime, the police personnel raided the place where six miscreants were present, out of which four were caught. The



apprehended persons disclosed the name of the persons who fled away from the spot as Anil Mahto (petitioner) and Pankaj Mahto (petitioner).

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The name of the petitioners was disclosed by the apprehended co-accused persons. Nothing has been recovered from the conscious possession of the petitioners. The co-accused person has already been granted bail by this court *vide* order dated 05.09.2024 passed in Cr. Misc. No. 56519/2024. The petitioners have 11 criminal antecedents in which he is on bail in 7 cases and he is acquitted in 1 case as stated in para 3 of the bail petition. The petitioners were arrested in connection with Buddha Colony P.S. Case No. 48/24 and thereafter, they have been remanded in this case on 06.03.2024 and he is in custody since then.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with



two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur, Patna in connection with Sessions Trial No. 1155/2024 arising out of Rupaspur P.S Case No. 880 of 2023, with the condition:-

(i). The petitioners are 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 petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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