

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12583 of 2015

Arising Out of PS.Case No. -21 Year- 2010 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Raja Ram Mahto Son of Jageshwar Mahto, resident of village- Jhaura
Pakahi, P.S.- Bibhutipur, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s Mr. Dr. Kumar Uday Pratap (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

04/ 06.07.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Bibhutipur P. S. case no. 21/2010 registered under sections 395 and
397 of the Indian Penal Code.

No doubt, petitioner is not named in the first information
report but in course of investigation, name of the petitioner surfaced in
the confessional statement of co-accused from whose possession some
looted articles are said to have been recovered.

Petitioner carries criminal antecedent as it is evident from
para 3 of the petition.

Therefore, in my view, it is not a fit case for grant of
anticipatory bail and accordingly, his prayer for anticipatory bail in
connection with the above stated Bibhutipur P. S. case no. 21/2010
pending in the court of the Addl. Chief Judicial Magistrate, Rosera,

Samastipur stands rejected.

However, if the petitioner surrenders within four weeks from today and seeks regular bail, his regular bail application shall be considered on its own merit without being prejudiced by this rejection order.

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(Hemant Kumar Srivastava,J)

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