

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35348 of 2015

Arising Out of PS.Case No. -74 Year- 2009 Thana -GORAUL District- VAISHALI(HAJIPUR)

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Anil Mahto @ Anil Singh Son of Satan Mahto residence of Village - Dhane Garole, P.O. + P.S. - Garole, District - Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Ms. Archana Sinha @ Archana Shahi

For the Opposite Party/s : Ms. Smt. Asha Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 02-11-2015 Heard both sides.

The petitioner apprehends his arrest in Goraul P.S. Case No. 74/2009, registered for the offences punishable under Sections 363, 365, 368 and 420 of the Indian Penal Code.

The wife of Ramesh Mahto alleged that the petitioner and Srikant took her husband and son along with other labourers to Delhi for engagement. Her son returned but her husband did not return.

It is submitted that the petitioner did not take the husband of the informant-complainant for providing job in Delhi. The petitioner happens to be co-sharer of the informant and it would appear from para 92 to 95 of case-diary that the petitioner had land dispute with Ramesh Mahto, the husband of the informant, but

from perusal of case diary, it appears that the petitioner took many persons including the son and husband of the informant to Delhi for providing them job, but the husband of the informant did not return. The witnesses have stated that some mishappening took place and the petitioner asked them to return to their home. The husband of the informant is still traceless and the case is of the year 2009. The anticipatory bail petition was filed only after six years of the occurrence.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail and his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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