

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18377 of 2015

Arising Out of PS.Case No. -589 Year- 2014 Thana -KAHALGAON. District- BHAGALPUR

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KANHAY MAHTO, SON OF PAARO MAHTO, RESIDENT OF
VILLAGE- MAHESHAMUND, P.S.- KAHALGAON, DISTRICT-
BHAGALPUR.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 09-07-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Kahalgaon P.S. Case No. 589 of 2014 registered under Sections

379 and 411 of the Indian Penal Code pending in the court of

Additional Chief Judicial Magistrate, Bhagalpur.

On the written report of General Manager, N.T.P.C.,

Kahalgaon regarding theft of computer and other articles,

Kahalgaon P.S. Case No. 55 of 2014 was instituted. On the basis

of which, on 30.12.2014, police and security personnel of

N.T.P.C. raided and recovered three hammers, 100 meter cable

wires, one Cheni, one motor and other articles from the

house of the petitioner and Lohwa Mahto.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to ulterior motive. It is further submitted that it would appear from the F.I.R. that nothing has been recovered from the conscious possession of the petitioner and he has no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within six weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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