

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39301 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -SAMASTIPUR RPF CASE District-
SAMASTIPUR

- =====
1. Mahesh Kumar Mahto s/o Ramprasad Mahto, r/v-Sonelal Dhala
Jitwarpur, P.S. Muffasil, Distt- Samastipur
 2. Sanjeet Kumar s/o Dinesh Mahto
 3. Ajay Mahto s/o Anandi Mahto
- Both are r/v Maslanchowk, P.S. – Muffasil, distt - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. B.M.P.Sinha (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 16-09-2016 Heard both sides.

The petitioners apprehend their arrest in R.P.F. (S.D.J.)

P.S. Case No. 4/2016, registered for the offences punishable under
Section 3 R.P. (U.P.) Act.

The informant alleged that he got information about
some suspicious movement and on such went near the boundary.
The informant saw a Thela parked there and many persons were
present there. After seeing the police force the accused persons
began to flee, on chase one Ranjeet Paswan was apprehended who
disclosed the name of the petitioners. Ranjeet Paswan further
disclosed that while they were carrying the Thela loaded with
Railway properties, police came and on chase he was arrested.

Learned counsel for the petitioners submits that the petitioners were not apprehended on the spot. Their names disclosed by the co-accused Ranjeet Paswan. Petitioners have got no criminal antecedent and on account of some dispute Ranjeet Paswan named the petitioners in his confessional statement. Petitioners are students.

From perusal of the statement of Incharge Inspector R.P.F., it appears that many persons had assembled near the Thela on which different Railway properties were kept. On chase one Ranjeet Paswan was apprehended and he disclosed the name of the petitioners as his accomplices in theft of Railway properties.

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

(Prabhat Kumar Jha, J.)

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