

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52834 of 2015

Arising Out of PS.Case No. -142 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

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Upendra Mahto @ Mukhiya, Son of Late Komal Mahto, Resident of
Village- Basantpur, Police Station- Kako, District- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anita Kumari Singh, Advocate

For the Opposite Party : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Makhdumpur (Tehta) P.S. Case No. 142 of 2015 pending in
the Court of Judicial Magistrate, Ist Class, Jehanabad for the
offences instituted under Sections 397, 412 and 120B of the
Indian Penal Code.

The prosecution case in short is that in between the night
of 19/20.05.2015, some 8-10 miscreants committed dacoity in the
house of the informant and looted away cash amount, mobile and
jewellery on the point of gun.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. Except

for the confessional statement of the co-accused, there is no other material to suggest the implication of the petitioner. The other co-accused have been granted regular bail by this Court.

On behalf of the State, it has been submitted that the name of the petitioner has come in course of the investigation and he has one more case of a similar nature.

Considering the aforesaid facts and circumstances of the case, I am not inclined to release the above named petitioner on anticipatory bail, the same is rejected.

Anyhow, if the petitioner surrenders in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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