

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48876 of 2016

Arising Out of PS.Case No. -102 Year- 2016 Thana -SAHIYARA District- SITAMARHI

=====

Feku Mahto, Son of Chandeshwar Mahto, Resident of Village – Matiar
Khurd, P.S. – Sahiyara, District – Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Devendra Kumar, Advocate.

For the Opposite Party : Mr. Anant Kumar, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-12-2016 Heard both sides.

The petitioner apprehends his arrest in Sahiyara P.S.
Case No. 102 of 2016 registered for the offences punishable under
Section 414 of the Indian Penal Code and under Sections 25 (1-B)
A, 26 and 35 of the Arms Act.

The police saw three persons going on a motorcycle but
after seeing the police the accused persons started fleeing away
leaving the motorcycle. On chase, Binod Das was apprehended
and from his possession country made pistol and stolen
motorcycle was recovered. Binod Das disclosed the name of the
petitioner Feku Mahto and Rakesh Mahto.

Learned counsel for the petitioner submits that the
petitioner was not apprehended on the spot. On the date of
occurrence the petitioner was in Delhi but it appears that the



petitioner and others were moving on the stolen motorcycle and after seeing the police the petitioner managed to flee away. Binod Das disclosed the name of the petitioner on spot and after being apprehended from his possession arms and ammunition were recovered.

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

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, his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

KKSINHA/-

U		T	
---	--	---	--

