

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30908 of 2017

Arising Out of PS.Case No. -236 Year- 2016 Thana -VAISHALI District- VAISHALI(HAJIPUR)

=====

Rajesh Mahto @ Rajesh Kumar son of Bindeshwar Mahto Resident of
Village - Chainpur; Police Station - Turki O.P. (Kurhni P.S.), District -
Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. S.M. Rahman

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 19-08-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Vaishali (Belshar O.P.)
P.S. Case No. 236 of 2016 for the offences punishable under
sections 413 and 414 of the I.P.C.

Allegedly, one Bikash Kumar was apprehended and
two stolen motorcycles have been recovered from different places
and he stated the name of the petitioner with the allegation that the
petitioner is active member of the gang and he is expert for
breaking the lock of the vehicle.

Submission is of false implication and that there was
dispute in between the petitioner and Bikash Kumar resulting he
has named the petitioner also though the petitioner has got no



concern, nothing has been recovered from the house of the petitioner, during investigation vide paragraphs- 37, 38, 39 and 40 of the case diary the independent witnesses have stated that the cycle of the petitioner was being snatched by Bikash Kumar and for that there was dispute, Bikash Kumar caused threats to implicate the petitioner also and when he was arrested he implicated the petitioner also along with others.

The learned A.P.P. fairly submits that the name of the petitioner was taken by co-accused Bikash Kumar and the independent witnesses have stated regarding innocence of the petitioner.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Vaishali at Hazipur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

Abhay/-

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

