

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.787 of 2017

- =====
1. Srikant Mahto @ Putul Mahto @ Pradeep Mahto, son of Ram Prevesh Mahto,
 2. Sudhir Mahto, son of Ram Ashlok Mahto, both of R/o Village- Veerpur, P.S.- Sahpur, District-Bhojpur at Ara.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Smt Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 16-02-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Sahpur P.S. Case No.214 of 2016 instituted for the offence under Section(s) 413 and 414 Indian Penal Code.

It is alleged in the written report that stolen motorcycle was recovered from the house of Rakesh Pandey. He told that he brought this motorcycle from UP with co-accused Srikant Mahto and Sudhir Mahto (petitioners). Thereafter, case has been registered against these petitioners as well as Rakesh Pandey.

Learned APP has pointed out that police during investigation raided the house of other accused persons as mentioned in the case diary and one motorcycle has been



recovered from the house of Sudhir Mahto (petitioner No.2). Witnesses in the case diary have also supported the same. The police has mentioned about the criminal antecedents of petitioner No.2 in para 27 of the case diary.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner No.2 (Sudhir Mahto). His prayer for bail is rejected.

The petitioner No.2 may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

So far as petitioner No.1 (Srikant Mahto @ Putul Mahto @ Pradeep Mahto) is concerned, there is no recovery either from his house or from his conscious possession. His name has merely been disclosed by co-accused Rakesh Pandey, who was arrested by the police and motorcycle was recovered from his house. He has no criminal antecedents.

In view of such, in the event of surrender/arrest of the petitioner No.1 (Srikant Mahto @ Putul Mahto @ Pradeep Mahto) within six weeks from today in connection with Sahpur P.S. Case No.214 of 2016, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of the
Chief Judicial Magistrate, Bhojpur at Ara, subject to the
conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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