

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23480 of 2019

Arising Out of PS. Case No.-8 Year-2018 Thana- GADHPURA District- Begusarai

SATYA NARAYAN MAHTO S/o Rajendra Mahto Resident of Village-
Pawra, P.S.- Rosera, District- Samastipur,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 03-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 379 and 414 of the Indian
Penal Code.

The prosecution case in short is that the informant
Sharma Nand Yadav S.I. submitted a written report before the
S.H.O. Garhpura on 06.02.2018 alleging therein that same day
departure of 'Dibagasti' with some constables when he reached
village Kaura, he saw crowd near the tea shop of the Dhuran
Yadav. He further alleged when he reached on spot and acted for
crowd, some persons disclosed that a motorcycle thief fled
away with motorcycle and Rohit Kumar son of Bidya Mahto,
District-Begusarai identify for this motorcycle and some



villagers are caught this person with motorcycle. He further alleged when the inquiry, Rohit Kumar is disclosed that on 01.02.2018 a person is fled away with motorcycle from the outside of the shop which is standing near of Bhadail Chowk Bakhri. He further alleged that this motorcycle belongs to Krishnandan Kumar. Petitioner has been arrested and a seizure list has been prepared.

It has been submitted on behalf of the petitioner that he is innocent, bears no criminal antecedent as stated in para-3 of the present application but later on he filed supplementary affidavit stating therein that one case is also pending against the petitioner in Roxera P.S. Case No. 26 of 2018 under Sections 406/379 of the I.P.C. From the case diary, it is clear that the motorcycle has been recovered from the possession of the petitioner. He further submits that charge-sheet has already been submitted against the petitioner. Petitioner is languishing in judicial custody since 07.02.2018.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. According his payer for bail is rejected in connection with Gadhpura P.S. Case No. 08 of 2018 from the court of the learned Additional Chief Judicial Magistrate-IV, Begusarai.



Accordingly, the application is dismissed. However, the trial court is directed to conclude the trial within nine months from the date of receipt/production of this a copy of this order.

(Anjani Kumar Sharan, J)

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