

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53613 of 2019

Arising Out of PS. Case No.-292 Year-2019 Thana- HAJIPUR District- Vaishali

SURAJ MAHATO Son of Panchi Mahto, Resident of Village- Ram Chaura
Naya Tola, P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Prabhat
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-08-2019 Heard both sides.

The petitioner apprehends his arrest in Hajipur Town
P.S. Case No.292 of 2019 registered under Sections 380, 511
and 34 of the Indian Penal Code.

The informant alleged that the thieves committed theft
in his house and took away mobiles from his house. Again the
thieves were trying to commit theft of purse from possession of
his daughter-in-law but she woke up and raised alarm. On chase,
one Paltan Kumar was apprehended and he disclosed the name
of petitioner as his accomplice. The informant further alleged
that the mobiles and ornaments were stolen away.

Learned counsel for the petitioner submits that the
petitioner was not apprehended nor the informant identified the
petitioner. One Paltan Kumar was apprehended and he was



handed over to the police. Paltan Kumar is said to have disclosed the name of petitioner but nothing has been recovered from possession of the petitioner. It is further submitted that, in fact, the informant runs vegetable shop and some altercation took place between the petitioner and the informant for payment of price of vegetables and that is why the petitioner has been implicated in the case, but from perusal of F.I.R. itself, it appears that Paltan Kumar was identified while he was fleeing away and the informant got him from his village. It was Paltan Kumar, who disclosed the name of petitioner as his accomplice.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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