

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78364 of 2019**

Arising Out of PS. Case No.-6 Year-2019 Thana- MUZAFFARPUR RPF/POST District-  
Saran

- 
1. DINA MAHTO Son of Late Raghubir Mahto Resident of Village-Chainpur, P.S.-Kudhani, District-Muzaffarpur.
  2. Yshoda Devi Wife of Late Vishundeo Mahto Resident of Village-Chainpur, P.S.-Kudhani, District-Muzaffarpur.
  3. Raushan Mahto Son of Shiv Mahto Resident of Village-Chainpur, P.S.-Kudhani, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr.Niranjana Parihar  
For the Opposite Party/s : Mr.Ram Sevak Choudhary

---

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      02-12-2019      Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offence punishable under section 3 of R.P.U.P. Act.

Informant who is a police officer of Railway Protection Force, in his written report has stated that he received information on 16.07.2019 at about 3:00 am in the night from Security Control Room, that some unknown persons are stealing sacks of foodgrains from Malgadi standing at Turki Railway Station and on receiving said information he along with other personnel of Railway Protection Force, reached the place of occurrence and after seeing the police party, unknown persons



started fleeing away, however, after chase one person was apprehended who disclosed his name as Sukhdeo Mahto and the name of other person who managed to flee away as Birchand Ram, Naresh Mahto, Anant Mahto. On disclosure of apprehended accused-Sukhdeo Mahto, house of Yashoda Devi, Dina Mahto and Raushan Mahto were raided, however, Yashoda Devi (petitioner) managed to flee away and from the house of Dina Mahto three sacks of wheat were recovered which were seized.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this case. Nothing has been recovered from the possession of the petitioners. Petitioners have got no criminal antecedent.

Considering the fact that stolen wheat bags were recovered from the possession of petitioners, I am not inclined to enlarge the petitioner nos. 1 and 3 on anticipatory bail.

Hence, the prayer for anticipatory bail of the petitioner nos. 1 and 3 is rejected.

However, it is observed that if petitioner nos. 1 and 3 surrenders before the court below and prays for regular bail, their application for regular bail will be considered and disposed of preferably on the same day, without being prejudiced by this



order.

However, considering the fact that petitioner no. 2 Yashoda Devi is lady, let she be released on anticipatory bail in the event of his/her arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **R.P.F Muzaffarpur P.S. Case No. 06 of 2019**, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(S. Kumar, J)

ranjan/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

