

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 77909 of 2019

Arising Out of PS. Case No.-284 Year-2018 Thana- BYPASS District- Patna

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TUNNI MAHTO, S/o Ram Vilas Mahto @ Bilasi Mahto R/o Mohalla- Chhoti
Pahari, P.S.- Agamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Mritunjay Narain

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 457, 380
and 411 of the Indian Penal Code.

Prosecution case in brief in that one Barun Singh @
Ratnesh Kumar Singh son of late Babunand Singh resident of
village-Himmatpur, P.S.- Sidhwali, District- Gopalganj with the
Reshav Singh son of late Vakil Singh resident of Mohalla-
Rajendra Mehta Colony, behind of Kiran automobile bypass in
under construction building dated 07.09.2018 Bhola Singh,
resident of village- Hemu Chapra police station Baikunthpur,
District-Gopalganj and with driver Sanjay Kumar had come in
their house caretaker of Keshav Singh, namely Narendra Singh



son of Swaminath Singh, Village-Machaicha, P.S.-Hathwa, District-Gopalganj, lives and three labour also were present we were sleeping about 2.00 A.M. I wake up and saw that one boy aged about 20 and 21 years old was bring laptop. He fled away to see the wake up and I have to do noisy (Halla) chor-chor and follow them and all persons we wake up. Three thief the laptop who was caught by me and three mobile has been recovered from his possession. My mobile belong to vivo 5 company and during checking of luggage I found Rs. 10,000/- was lost. After enquiry of those persons disclosed the name of three persons namely 1. Arjun Mahto, Tunni Mahto and Lavkush Mahto, during course of enquiry he said that Rs.10,000/- has taken Arjun Mahto and he fled away. After sometime we informed the police and police has been taken in police station and I have given the application in police station regarding this matter.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. The petitioner has made accused on the confessional statement of co-accused Pradeep Kumar. There is recovery of three mobiles from the co-accused Pradeep Kumar and he disclosed the name of the petitioner who fled away take Rs. 10,000/- and nothing has been recovered from the possession of the petitioner. The petitioner has no any



criminal antecedent.

In the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Patna City, Patna in connection with Bypass P.S. Case No. 284 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure. The court below to verify the criminal antecedent of the petitioner.

(Anjani Kumar Sharan, J)

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