

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61390 of 2019

Arising Out of PS. Case No.-222 Year-2018 Thana- BHAGWANPUR District- Vaishali

Sakinder Mahto @ Sakindar Mahto @ Sikandra Mahto, male, aged 36 years about, Son of Sarjug Mahto, Resident of Village - Rasalpur Patti, P.S.- Bhagwanpur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 05-03-2020

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in connection with Bhagwanpur PS Case No. 222 of 2018 dated 14.12.2018 instituted under Sections 414 and 420/34 of the Indian Penal Code.

3. The allegation against the petitioner is that from his house 120 cartons of stolen articles were recovered.

4. Learned counsel for the petitioner submitted that he lives along with his wife in the house, which is in joint possession and he is not in exclusive possession of the house.

5. Learned APP submitted that the recovery being from the house of the petitioner of stolen articles, the weak plea of the



petitioner living in jointness with others is fit to be rejected as from the house where admittedly the petitioner resides, the articles have been recovered.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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