

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71495 of 2021

Arising Out of PS. Case No.-114 Year-2021 Thana- GAUNAHA District- West Champaran

GUDDAL MAHTO @ GUDDAN @ AJAY KUMAR MAHTO Son of Late
Brij Bihari Mahto Resident of Village - Manguraha, Police Station - Gaunaha,
District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.Arun Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection

with Gaunaha P.S. Case No. 114 of 2021 registered for offence

punishable under sections 411, 413, 414 of the Indian Penal

Code and sections 30(i)/30(ii) of the Ancient Monuments and

Archaeological Sites and Remains Act, 1958.

The police apprehended one Kedar Mahto and an

antique idol of Buddha was recovered from his possession. He

furnished the vivid description of the alleged theft and named



the present petitioner.

The learned counsel for the petitioner has submitted that the petitioner was not arrested at the spot, nothing was recovered from his possession and he has falsely been implicated in this case.

In paragraph no. 3 of the bail petition, the criminal antecedent of the petitioner has been given which shows that Gaunaha P.S. Case No. 16 of 2013 for the similar offence, was registered against the petitioner under sections 414, 411 and 120(b) of the Indian Penal Code and sections 30 (i), 30 (ii) of the Ancient Monuments and Archaeological Sites and Remains Act, 1958, as such, he does not deserve the privileges for anticipatory bail. Accordingly his prayer for anticipatory bail is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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