

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2148 of 2023

Arising Out of PS. Case No.-130 Year-2022 Thana- SINGHWARA District- Darbhanga

MINTU MAHTO @ MINTU KUMAR SON OF BHIKARI MAHTO R/O
VILLAGE- PUNAURA, WARD NO.7, P.S.- PUNAURA, DISTRICT-
SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Madhubala Verma

For the Opposite Party/s : Mrs. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2023 Heard the parties.

The petitioner apprehends his arrest in connection with
Sindhware P.S. Case no.130 of 2022, registered for the offence
punishable under sections 461, 379 of the Indian Penal Code.

The allegation against the petitioner is that he alongwith
other co-accused persons committed theft in the grocery shop of
the informant.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and have committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The petitioner is not
named in the FIR, he has been made accused in the present case
on the confessional statement of one co-accused person namely



Ujjawal Sahi. She further submits that the petitioner alongwith his family members runs a small grocery shop since a long time and the said recovered grocery items belongs to the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the petitioner is also involved in the present case.

Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today, and seek for regular bail, the learned court below shall pass the order preferably on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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