

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45946 of 2023

Arising Out of PS. Case No.-173 Year-2023 Thana- GORAUL District- Vaishali

INDRA MOHAN MAHTO @ MOHAN MAHTO son of Satyendra Mahto
Village- Singh Rai Mahua Ps- Mahua Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-09-2023 Heard learned counsel for the parties concerned.

2. Petitioner apprehends his arrest in connection with Goraul (Katahara O.P.) P.S. Case No. 173 of 2023 dated 6.5.2023 registered for the offence punishable under Sections 379, 411, 413 and 414 of the Indian Penal Code.

3. As per the First Information report the pick-up van of the informant parked near his *Kabari* (Junk) shop was stolen on 20.4.2023 and the said pick-up van was recovered by the Police from the garage of one Pankaj Jaiswal on 6.5.2023. Three persons were arrested along with the pick up van of the informant and other stolen vehicles namely, Shiv Kumar, Md. Shahnawaz and Pankaj Jaiswal. The name of the petitioner has come on the basis of confessional statement of co-accused Shivam Kumar.



4. Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent of similar nature of offence and one case under Section 30-A of the Excise Act and other allied Sections of IPC was lodged earlier against him. She further submits that the petitioner is not the owner of the garage as would be evident from the impugned order itself. The owner of the garage, Pankaj Jaiswal, was arrested along with two other accused persons. She further submits that the petitioner will cooperate in the investigation with the Police.

5. Having heard learned counsel for the parties and taking into consideration the fact that petitioner is not having criminal antecedent of similar nature of offence, I am inclined to grant anticipatory bail to the petitioner with condition that he will cooperate in the investigation and if the Police finds that the petitioner is non-cooperative, the prosecution shall be at liberty to apply for cancellation of bail granted to the petitioner.

6. Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Vaishali at Hajipur, in connection with Goraul



(Katahara OP) P.S. Case No. 173 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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