

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61851 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- LAKHAURA District- East Champaran

-
1. Setha Mahto Son of Late Person Mahto Village-Inarwa Fulwar, P.S.-
Lakhaura, District- East Champaran
 2. Chandrawati Devi Wife of Setha Mahto Village-Inarwa Fulwar, P.S.-
Lakhaura, District- East Champaran
 3. Dinesh Kumar Son of Nawas Mahto Village-Inarwa Fulwar, P.S.- Lakhaura,
District- East Champaran
 4. Nawas Mahto Son on Late Janki Mahto Village-Inarwa Fulwar, P.S.-
Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 20-11-2024 Heard learned counsel for the

petitioners, learned counsel for the informant
and learned APP for the State.

2. The instant application for
anticipatory bail has been filed by the
petitioners apprehending their arrest in a case
instituted for the offence punishable under
Sections 144, 380, 384, 420, 506 of the Indian
Penal Code.

3. The prosecution case in nutshell is
that petitioners along with other co-accused



persons came to the house of the informant and on the point of weapon they snatched the informant's mobile from his wife's possession, in which there was an account of Dream 11 to which informant has recently won Rs. 1,00,00,000/- (one crore rupees). It is further alleged that petitioner No. 1 – Setha Mahto and other also took the informant's motorcycle, gold, silver and cash of Rs. 5,000/- (five thousand rupees) and fled away. It is further alleged that on the same day accused persons transferred Rs. 27,99,720/- (twenty seven lakh ninety nine thousand seven hundred twenty rupees) to their account from the account of Dream 11 through the mobile of the informant.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in the present case merely on the basis of dispute arises in the play of Dream 11. There is



no specific allegation against the petitioners rather there is general and omnibus allegation levelled against them. Nothing incriminating has been recovered from the conscious possession of the petitioners. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the prayer of bail and submitted that from perusal of the F.I.R., it appears that there is specific allegation against co-accused Sandeep Kumar of snatching the informant's mobile from the possession of his wife, on the point of weapon and Setha Mahto (petitioner No. 1) of snatching the motorcycle and other articles along with cash from the house of informant.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner Nos. 3, 4 and



5, namely, Chandrawti Devi, Dinesh Kumar and Nawas Mahto respectively on bail. The petitioner Nos. 3, 4 & 5 (Chandrawti Devi, Dinesh Kumar and Nawas Mahto) are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Lakhaura P.S. Case no. 53 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

7. As far as Petitioner No. 1 (Setha Mahto) is concerned, this court is not inclined to enlarge him on bail and, as such, his prayer for bail stands rejected and he is directed to surrender before learned court below and prays for regular bail, the same shall be considered



by the court below, without being prejudiced by
the order of this Court.

(S. B. Pd. Singh, J)

Nirajkrs/-

U		T	
---	--	---	--

