

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65944 of 2024

Arising Out of PS. Case No.-24 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champanan

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Santosh Mahto @ Santosh Kumar, Son of Ratan Mahto @ Ram Ratan Mahto,
Resident of village - Siswa Ajagari, P.S.- Banjaria, District - East Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 05-10-2024 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No. 24 of 2023, registered for the
offences punishable under Sections 392 of the Indian Penal
Code.

3. Allegedly while the informant was returning to his
home, in the meantime, three miscreants riding on a motorcycle
came there and on the point of pistol snatched all his valuables.

4. Learned Advocate appearing on behalf of the
petitioner contended that the FIR has been instituted against
unknown miscreants, however, during the course of
investigation the petitioner was arrested in connection with



Motihari Town P.S. Case No. 140 of 2023 and thereafter his own confessional statement was recorded and on the basis of which he has been roped in the present case. Except the confessional statement, there is no material suggesting the complicity of the petitioner. It is next contended that even though the petitioner is incarcerated in custody, but still the anticipatory bail is maintainable with regard to a case in which he has not been remanded till date.

5. On the other hand, learned Advocate for the State while opposing the bail application submits that with regard to the maintainability of the anticipatory bail he has nothing to say, but the self confession of the petitioner and his criminal antecedent demonstrate that the petitioner is a habitual offender.

6. Considering the submissions noted hereinabove and taking note of the criminal antecedent and the materials collected during the course of investigation, this Court is not acceded to the prayer of the petitioner for anticipatory bail.

7. The application of the petitioner stands rejected.

(Harish Kumar, J)

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