

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79398 of 2024

Arising Out of PS. Case No.-202 Year-2017 Thana- MASHRAK District- Saran

Shatrudhan Kumar Mahto @ Shatrudhan Mahto S/O Rajaharan Mahto
Resident of Village- Durgauli, Police Station- Masahrakh, District- Saran at
Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shrinath Manjhi

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 09-12-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Masharakh P.S. Case No. 202 of 2017 dated 06.08.2017
registered under Section 379 of the I.P.C.

3. As per the prosecution story the informant parked his
newly purchased Sawraj Tractor 735EF at the door of his house
and in the next morning when he woke up he found that the
same was missing inasmuch it was stolen by some unknown
persons.

4. Learned counsel for the petitioner submits that the name of
the petitioner has transpired in the confessional statement of the
co-accused / Ramesh Manjhi due to previous enmity. He
submits that the petitioner is not named in the F.I.R. and no such



recovery of stolen tractor has been made from the possession of the petitioner.

5. Having regard to the submission made by the parties, taking into consideration the nature of allegation and the fact that the petitioner is having three criminal antecedent of similar nature of offence which shows that he is a habitual offender, accordingly, I am not inclined to extend the privilege of anticipatory bail to the petitioner. The same is rejected.

6. However, if the petitioner surrenders and seeks regular bail, the learned court below shall consider the same on its own merit without being prejudiced by the fact that the anticipatory bail application has been rejected by this court.

(Anil Kumar Sinha, J)

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