

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43284 of 2015

Arising Out of PS.Case No. -8 Year- 2015 Thana -RAIL District- LAKHISARAI

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Parmanand Choudhary @ Khakhoran Choudhary, S/o Mishri Chaudhary
R/o Village- Jawahar Nagar, P.S. Chautham, Dist.- Khagaria,

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shubhesh Pandey
For the Opposite Party : Mr. M.Haque(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-11-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 18.05.2015 in
a case instituted under Sections 328 and 379 of the Indian Penal
Code.

As per prosecution case, it is a case of theft of
Rs.1500/- from the underwear pocket of the informant as also one
mobile of Samsung company and silver *pial* of the informant's
wife by the accused persons.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 18.05.2015. Chargesheet has
been submitted in the case. There is no allegation of tampering of
evidence against the petitioner. Petitioner has been made accused

due to mistake of fact. Petitioner is not named in the FIR nor he has been put on test identification parade.

On behalf of the State, it has been submitted that the name of the petitioner has come in course of investigation.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Kiul (Lakhisarai) in connection with Jamalpur Rail P.S.Case No.08 of 2015.

(Sudhir Singh, J)

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