

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24709 of 2015

Arising Out of PS.Case No. -789 Year- 2014 Thana -ARARIA District- ARARIA

Md. Kamal @ Kamal son of Md. Hefaz Resident of village - Prem Nagar,
P.S. - Araria, Dist - Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. M.Rab(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-08-2015 The petitioner is languishing in custody since 13.11.2014

in connection with Araria P.S. Case No.789 of 2014 for the
offences instituted under Sections 364 and 392 of the I.P.C.

Heard learned counsel for the petitioner and learned
counsel for the State.

The prosecution story, in brief, is that when the
informant on his truck loaded with edible goods along with his
sons reached near Gorhi Chowk, Araria a Safari Car stopped in
front of his truck from which two miscreants having covered their
face got down and forced the informant along with his sons to get
down from the truck. Then the miscreants took the key of the truck
and mobile phone of the informant including driving licence and
after threatening them they took away his truck.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.11.2014 and the charge sheet has been submitted in the present case. The other co-accused, Moidur Rahman @ Guddu has been granted bail by the court below. From perusal of Annexure-2 it would appear that the informant has admitted that the petitioner has been made accused due to mistake of fact.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned C.J.M., Araria, in connection with Araria P.S. Case No.789 of 2014.

AnilKrSinha/-

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(Sudhir Singh, J)