

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25501 of 2015

Arising Out of PS.Case No. -130 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

Dilip Kumar Soni, Son of Kameshwar Prasad Soni, resident of village-
Vishunpur, P.S. Begusarai Town, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Umanath Mishra(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case
instituted under Sections 457 and 380 of the Indian Penal Code.

It is alleged by the informant that he had gone on
07.03.2015 at 5 in the evening to Samastipur to attend a marriage
ceremony after locking his house. In the night, the unknown
thieves entered into the house after breaking the lock of the house
and took away cash Rs.7,000/- ornaments of gold and silver and
other articles. In the morning he received information from his
neighbour regarding theft then he came from Samastipur and
found the articles missing.

It has been submitted on behalf of the petitioner that
the petitioner has made accused due to mistake of fact. Petitioner

is not named in the FIR. His name appeared on the basis of the confessional statement of a co-accused. No incriminating article is said to have been recovered from the possession of the petitioner.

It has been submitted on behalf of the State that the petitioner is not named in the FIR and his name has come during the course of investigation.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, 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 CJM, Begusarai in connection with Begusarai Town P.S.Case No.130 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sudhir Singh, J)

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