

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30085 of 2015

Arising Out of PS.Case No. -230 Year- 2008 Thana -SARAIYA District- MUZAFFARPUR

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Tuna Mahto @ Toona Mahto s/o late Bhikhar Mahto, resident of village Pokhraiya, P.S. Saraiya (Jaitpur O.P.), District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey

For the Opposite Party/s : Mr. Pronati Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 307 and other Sections of the Indian Penal Code.

It is alleged by the informant that he was sleeping in his darwaja and in the night at 2 O' clock on hulla of Chor Chor he woke up and saw one person fleeing away and he caught him but that person threw acid and fled away. It is further alleged that the informant identified that person in the moonlit as petitioner, who threw acid.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that the petitioner has been made accused in this case due to mistake of fact. It is also submitted that as per allegation there is

no injury caused to any one in course of the occurrence.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

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 Sri Virendra Kumar Choubey, learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Saraiya P.S.Case No. 230/2008, GR No. 1749 of 2008 and Trial No. 3095/14, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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