

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23877 of 2015

Arising out of PS.Case No. -160 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

Ashwa Kumar @ Ashwa Kumar Deo, Son of Batuk Lal Deo, resident of Village - Narayan Tola Chhapki, P.S. Baheri, District Darbhanga.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-08-2015 The petitioner is languishing in custody since 27.03.2015 in connection with Town (Ratanpur) P.S. Case No. 160 of 2015 for the offences instituted under Sections 406, 420 and 379/34 of the I.P.C.

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

The prosecution story, in brief, is that on 27.03.2015 at 3.15 P.M. two persons riding on Pulsar motorcycle arrived at the house of the informant and asked for clean of pot then she gave a small Lota to that person for cleaning after cleaning that person gave that Lota to the informant. Thereafter, they told her that they could shine the ornaments, then she gave them to clean to golden chain. One pair of golden bauti of Six Aana and golden Mangal



Shutra, they demanded hot water for cleaning the ornaments and when she went to inside the house for hot water then they started to flee away. She raised alarm and her 'debar' Vijay Kumar Singh and others villagers caught hold one of them but other person fled away by his Pulsar motorcycle alongwith ornaments. The apprehended person was assaulted by the villagers and he disclosed his name as Ashwa Kumar and also the name of escaped person as Tila Kumar and apprehended person was handed over the police.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.03.2015 and the charge sheet has been submitted in the present case. It is further submitted that the petitioner has got no criminal antecedent. It is further submitted that the petitioner has been made accused in the present case due to mistake of fact. It is further submitted that the petitioner may be released after completion of nine months in custody from 27.03.2015.

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 after completion of nine months in custody from 27.03.2015 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., Begusarai,
in connection with Town (Ratanpur) P.S. Case No. 160 of 2015.

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(Sudhir Singh, J)