

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38842 of 2015

Arising Out of PS.Case No. -82 Year- 2015 Thana -FALKA District- KATIHAR

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1. Kalyan Sah @ Jagdish Sah, S/o- Ram Kumar Sah, R/o-Cinema Chowk, Mishra Tola, Naka No-5, P.S.- Darbhanga, Distt- Darbhanga, At present R/o- Near R.N. College, Hajipur, P.S.- Hajipur Town, Distt:- Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Aditya Narayan Singh-I(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 30-10-2015 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is in custody in a case registered under Sections 395, 397 and 412 of the Indian Penal Code.

The allegation against the petitioner and other co-accused is of causing injury to the informant and looting the Pick Up Van of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He is in custody since 18.04.2015. Charge sheet has been submitted in this case. There is no allegation of tampering with the evidence against the petitioner. It is also submitted that the petitioner without knowledge that the vehicle, in question, was a looted one, he had taken lift on the said

vehicle. The petitioner has been made accused due to mistake of fact. It is further submitted that the petitioner may be released after completion of nine months in custody from 18.04.2015.

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

Considering the facts aforesaid, let above named petitioner be released, after completion of nine months in custody from 18.04.2015, 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 Sunil Kumar-3, learned J.M., 1st Class, Katihar in Falka (Pothia) P.S. Case No. 82/2015.

(Sudhir Singh, J)

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