

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39627 of 2015

Arising Out of PS.Case No. -139 Year- 2015 Thana -PANCHRUKHI District- SIWAN

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1. Ram Babu @ Mithilesh Kushwaha S/o Sheonandan Koiry Resident of
Village Hajpurwa, P.S. G.B. Nagar, District Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Section 395 of the Indian Penal Code.

It is alleged by the informant that he is a sale man of a
wine shop. On 29.5.2015 at about 8.30 P.M. on two motor cycles
six persons came at his shop. Out of them two persons on the
point of pistol looted Rs. 50,000/- and started to flee away.
Thereafter one Rinku Ali ran after them. It is further alleged that
the villagers succeeded to catch hold one culprit who was sitting
on Pulsar Motor Cycle. He disclosed his father's name as
Sheonandan Koiry. Thereafter Rinku Ali came to the shop of the
informant. Thereafter police reached there. They went to the place
of occurrence with the police. There they came to know that the
villagers Rinku Srivastava released the culprit who was caught
hold.

On behalf of the petitioner, it has been submitted that
the petitioner is in custody since 01.06.2015. Charge sheet has

been submitted in this case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has been made accused due to mistake of fact. There is no recovery of any incriminating article from the possession of the petitioner. It has been further submitted on behalf of the petitioner that the petitioner is ready to deposit an amount of Rs. 12,000/- in the court below, which shall be subject to final disposal of the case.

Learned counsel for the State submits that the petitioner has been named in the FIR as son of one Sheonandan Koiry.

Considering the facts aforesaid, the petitioner is directed to deposit an amount of Rs. 12,000/- in the court below, which shall be subject to final disposal of the case.

Let above named petitioner 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 S.D.J.M., Siwan in Pachrukhi P.S.Case No. 139 of 2015.

(Sudhir Singh, J)

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