

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35537 of 2016

Arising Out of PS.Case No. -41 Year- 2015 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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Arun Mishra, Son of Satyendra Kumar Mishra, resident of Village-
karmawa, Police Station- Dhakka, District- East Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Advocate.

For the Opposite Party : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 25.05.2016
in connection with Kundwa Chainpur P.S. Case No. 41 of 2015
for the offences instituted under Section 392 of the IPC.

The prosecution story, in brief, is that while the
informant with his children was going to his house, four
miscreants on the point of arms, stopped and tried to snatch his
motorcycle. Two miscreants captured his children on the point of
arms and knife and after pointing pistol at the chest of his daughter
began to threatening him and another person began to press neck
and mouth of his son. The informant pushed one miscreant in



Nahar and started fight with another miscreant to whom he identified the petitioner who was armed with pistol and the informant caught hold of pistol and seeing this, other miscreant leaving his children began to assault him due to which he received hurt. The miscreants took out Lap-Top bag, Mobile and cash of Rs. 17050/- of the informant. The petitioner pointed pistol on his head and took out golden chain from his neck. The petitioner also after taking Lap-Top of the informant fled away from the place of occurrence. The informant claims that several documents were kept in the bag. It is further alleged that three miscreants fled away from the motorcycle. On hulla, the villagers caught hold of one of the miscreants who disclosed his name as Ravi Patel.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.05.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. The petitioner has not been apprehended on the spot. There is no recovery of any looted article from his possession. It is further submitted that the petitioner may be released on bail after completion of six months in custody from 25.05.2016.

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 six months in custody from 25.05.2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sikrahna at Dhaka, East Champaran at Motihari in connection with Kundwa Chainpur P.S. Case No. 41 of 2015.

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(Sudhir Singh, J)