

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5605 of 2016

Arising Out of PS.Case No. -12 Year- 2015 Thana -BUDHUCHAK District- BHAGALPUR

Manoj Sah, Son of Late Rajan Sah, Resident of Mohalla- Goghatta P.S.-
Budhuchak, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate

For the Opposite Party : Mr. Smt. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-03-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Budduchak P.S. Case No. 12 of 2015 for the offences
instituted under Section 414 of the IPC.

As per the prosecution case the allegation against this
petitioner is that the police during raid recovered several bags of
stolen coal from different places and also ten bags total 250 K.G.
from the possession of the accused persons.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. He has been made
accused due to mistake of fact. There is no recovery from the
conscious possession of the petitioner. No compliance of Section

100 of the Cr.P.C. has been followed.

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 in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Budduchak P.S. Case No. 12 of 2015 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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