

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51187 of 2016

Arising Out of PS.Case No. -565 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Golu Sonar @ Golu Kumar, son of Shrawan Sonar, resident of Village-
Baniyapatti, P.S.- Motihari Town, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party : Mr. Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Motihari Town P.S. Case No. 565 of 2016 for the offences
instituted under Sections 413 and 414/34 of the IPC.

The prosecution story, in brief, is that the informant on
secret information apprehended two persons and three persons fled
away. They disclosed their names as Munna Kumar Singh and
Arjun Das and they also disclosed the names of persons who
succeeded in fleeing away as Golu Sonar(petitioner), co-accused
Rishu Kumar and Manish Raj. Thereafter gold chain was
recovered from possession of Munna Kumar Singh and from the
house of Arjun Das, a gold chain was recovered and the same
were seized in accordance with law.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. He has been made accused on disclosure made by the co-accused, namely, Munna Kumar Singh and Arjun Das. He has not been apprehended on the spot. There is no recovery of any incriminating article from possession of the petitioner.

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 Motihari Town P.S. Case No. 565 of 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 C.J.M., East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)