

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30001 of 2016

Arising Out of PS.Case No. -39 Year- 2016 Thana -JHANJHARPUR District- MADHUBANI

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Md. Arshad @ Md. Dani @ Danish Son of Md. Ashraf @ Munna, resident of Village- Ishapur, P.S.- Phulwarisharif, District- Patna, presently residing at Chitkohra, P.S.- Gardanibagh, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Binod Singh, Advocate.

For the Opposite Party : Mr. Ram Naresh Ray, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody in connection with Jhanjharpur P.S. Case No. 39 of 2016 for the offences instituted under Sections 379 and 411 of the Indian Penal Code.

The allegation against the petitioner and others is of committing theft of 13 goats, which are said to have been recovered from the vehicle of the petitioner.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.03.2016. The charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The

recovered goats are being claimed to be of petitioner. There is no compliance of section 100 of the Cr.P.C. It is further submitted that the petitioner may be released after completion of 9 (Nine) months in custody i.e. from 19.03.2016.

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 9 (Nine) months in custody i.e. from 19.03.2016, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Madhubani, in connection with Jhanjharpur P.S. Case No. 39 of 2016.

(Sudhir Singh, J.)

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