

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51153 of 2016

Arising Out of PS.Case No. -179 Year- 2016 Thana -MOTIPUR District- MUZAFFARPUR

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Pintu Kumar, Son of Mithilesh Mahto, Resident of Village- Bela Kenhuli,
P.S.- Mithanpure, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ganesh Prasad Singh, Advocate

For the Opposite Party : Mr. Arbind Kumar Pandey(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-11-2016

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is languishing in judicial custody since
21.06.2016 in connection with Motipur P.S. Case No. 179 of 2016
for offences punishable under Sections 328 and 379 of the Indian
Penal Code.

The prosecution case is that the informant, who was a
driver of Scorpio bearing Registration No.BR-06T-0123, was
called by one Ram Kumar as he had to bring his sister from her
matrimonial house. On way Ram Kumar brought two bottles of
cold drinks along with the petitioner and on insistence by Ram
Kumar, the informant drunk from a bottle and became senseless.
After he gained consciousness, he found himself in a Primary
Health Centre and his Scorpio Car missing.

It has been submitted by the learned counsel for the petitioner that the Scorpio car has been recovered and is part of the seizure list in the aforesaid case. The Scorpio car was recovered within an hour of the First Information Report. It has been further submitted that the petitioner has no criminal antecedent and has been falsely implicated in the aforesaid case. No overt act has been alleged against him and charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the charge-sheet has already been submitted and the petitioner has no criminal antecedent, let petitioner, above named, be enlarged 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 Sub-Divisional Judicial Magistrate, (West), Muzaffarpur, in connection with Motipur P.S. Case No. 179 of 2016.

(Nilu Agrawal, J.)

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