

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10035 of 2016

Arising Out of PS.Case No. -200 Year- 2015 Thana -NATHNAGAR District- BHAGALPUR

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Md. Tabrej Son of Md. Mehtab @ Mahtab Alam` Resident of Bargariya
P.S Nath Nagar, District Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pravin Kumar Sinha, Advocate.

For the Opposite Party : Mr. Mukesh Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Nath Nagar P.S. Case No. 200 of 2015 for the offences
instituted under Sections 379 and 411/34 of the Indian Penal
Code.

As per the prosecution case the informant had filed a
written report before the SHO Nath Nagar on 14.09.2015 alleging
that on 13.09.2015 at about 11.20 in the night while she was going
to look her cattle and seen three boys were running with white
coloured cow of one Pawan Kumar Thakur with intention to
committing theft. On query they have disclosed their names as
Shah Alam and Aftab and disclosed the name of the petitioner
who alleged fled away from the place of occurrence and on
arriving of the patrolling party they have handed over two culprits

as well as the cow.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. Petitioner has been made accused due to mistake of fact. The alleged calf is said to have already been recovered. It is further submitted that the petitioner is ready to deposit an amount of Rs.10,000/- in the court below which shall be subject to the final disposal of the case.

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, it is directed that the petitioner shall deposit an amount of Rs.10,000/- in the court below which shall be subject to the final disposal of the case and on doing so, 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 Nath Nagar P.S. Case No. 200 of 2015/ G.R.No.3379 of 2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

B.Kr./-

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