

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26476 of 2016

Arising Out of PS.Case No. -199 Year- 2016 Thana -MARHAURA District- SARAN

Virendra Nut @ Khuta Nut Son of Ram Ishwar Nut @ Ramishwar Nut
resident of village - Sihoriya, P.S. Baniyapur, District - Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 4.5.2016 in
connection with Marhowrrah P.S. Case No. 199 of 2016 registered
for offence under Section 379/34 of the Indian Penal Code.

The prosecution story, in brief, is that in the night of 3/4-
5.2016 at about 00-15 hours while all the villagers were enjoying
dinner party at the house of Awadhesh Verma on the occasion of
Tilak Ceremony, all of a sudden the villagers started running here
and there on the alarm of Chor-Chor and found that 3-4 thieves
were running away after committing theft of a motorcycle and
villagers caught one of the four thieves who disclosed his name as
Virendra Nut and also disclosed that the person who fled away

with stolen motorcycle was Givinda upon which the villagers assaulted the accused and handed over him to the police.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 4.5.2016. Charge-sheet has been submitted in the present case. There is no allegation of tempering of witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. There is no recovery of any incriminating articles from the 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 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Marhowrrah P.S. Case No. 199 of 2016.

(Sudhir Singh, J)

Prakash/-

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