

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42976 of 2017

Arising Out of PS.Case No. -277 Year- 2016 Thana -JAGDISHPUR District- BHAGALPUR

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Monu Jha @ Monu Kumar Jha, Son of Mithlesh Jha, Resident of Village-
Rayapura, P.S.- Goradih, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dr. Manoj Kumar, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
03.01.2017 in a case for the offence registered under Sections 457
and 380 of the IPC and subsequently Section 411 of the IPC was
also added.

The prosecution story, in brief, is that the informant
is a priest of a temple. When he came to offer prayer in the said
temple he found Idol of Lord Radha Krishna is missing.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case due to mistake of fact. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of a co-accused. There is no recovery of any incriminating article from his possession. He has not been put on T.I. Parade.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Bhagalpur in connection with Jagdishpur P.S. Case No. 277/2016.

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(Sudhir Singh, J)

