

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28149 of 2017

Arising Out of PS.Case No. -497 Year- 2016 Thana -DEHRI TOWN District- SASARAM
(ROHTAS)

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1. Laxman Choudhary, son of Radha Krishna Choudhary, resident of
Village- Bharanpur, P.S.- Narayanpur, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kumar, Advocate

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 461, 379 and 411 of the Indian Penal
Code.

The prosecution case, in brief, is that one Vijay Kumar
Singh received one D.J. machine from Ram Chandra Choudhary
in presence of Ravi Kumar, Pankaj Kumar and Radhe Kumar.
Thereafter he went to home. At 5 0'clock in the morning he
received a phone call for theft of D.J. machine from the godown.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The



petitioner has been made accused due to mistake of fact. He is not named in the F.I.R. His name has come on the confessional statement of the co-accused. No incriminating article is said to have been recovered from the possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Dehri, District Rohtas in connection with Dehri (Dalmianagar) P.S. case No.497 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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