

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.664 of 2017

Arising Out of PS.Case No. -299 Year- 2015 Thana -GAYGHAT District- MUZAFFARPUR

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Dilip Kumar, resident of Village- Sahabajpur, P.S.- Ahiyapur, Dist.- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar Pandey, Advocate.

For the Opposite Party : Mr. Arbind Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-01-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Gaighat P.S. Case No. 299 of 2015 for the offences instituted under Sections 364/34 of the IPC.

The prosecution story, in brief, is that while the informant was going for his personal work, co-accused Sumit Chauhan and Kishan Kumar came and took him in a hut where co-accused Prem Kumar and this petitioner were also present and they assaulted the informant and snatched a mobile phone. When the police came co-accused Prem Kumar and this petitioner fled away. Co-accused Sumit Chauhan and Kishan Kumar were caught by the police.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. A petition has been filed by the informant in the court below to the effect that due to mistake of fact the present case has been instituted. The victim has already been recovered.

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 in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Gaighat P.S. Case No. 299/2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)