

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40412 of 2018

Arising Out of PS.Case No. -91 Year- 2018 Thana -SARAIYA
District- MUZAFFARPUR

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ASHOK KUMAR SAW @ ASHOK PRASAD, Son of Late Shyam
Babu Saw, Resident of Village- Khushrupur, P.S.-
Khushrupur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-07-2018 The petitioner seeks bail in connection with Saraiya
P.S. Case No. 91 of 2018 dated 19.03.2018 instituted for the
offences under Sections 379, 411, 414, 427, 279, 337, 307,
34 of the Indian Penal Code.

A theft was committed in the shop of the informant.
The petitioner is stated to have been nabbed by the members
of the public. He is then said to have confessed that the
articles from the shop have been taken away by accused
persons on a vehicle. During the chase to catch the
miscreants, the miscreants attacked the informant and
others.

The learned counsel for the petitioner has submitted
that he has been arrested on mistaken identity of his having



taken part in the burglary because he was found standing in front of the shop. Nothing has been recovered from his possession and for no fault of his, he was brutally assaulted by the members of the public.

The petitioner is in custody since 20.03.2018 and only after institution of the present case, he has been remanded in another case viz. Salimpur P.S. Case No. 55 of 2018.

Regard being had to the aforesaid facts, the petitioner above named, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, West, Muzaffarpur in connection with Saraiya P.S. Case No. 91 of 2018.

(Ashutosh Kumar, J)

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