

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59801 of 2017

Arising Out of PS.Case No. -262 Year- 2017 Thana -BAJPATTI District- SITAMARHI

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1. Sumit Kumar @ Sumit Kumar Acharya S/o Shri Bodh Krishna Acharya
@ Krishna Acharaya, R/o Village- Muraul, P.S.- Bajpatti, District-
Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Smt Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 11-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Bajpatti P.S. Case No.262 of 2017, a case under Sections 457/380
of the Indian Penal Code.

The F.I.R. of the occurrence of theft of the
motorcycle was lodged against unknown. However, within two
hours the vehicle was recovered and the petitioner, who is nephew
of the informant, informed that he had given the key to the person
from whose possession the recovery was made.

Submission is that this is a case of mistake of fact.

Considering the aforesaid fact, let the petitioner,
above named, be released on bail on furnishing bail bond of



Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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