

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2221 of 2019

Arising Out of PS. Case No.-188 Year-2018 Thana- DUMARIAGHAT District- East
Champaran

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Tufani Mahto (25 years M), Son of Nageshwar Mahto, Resident of Village-
Sarotar, P.S.- Dumariyaghat, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 02.11.2018
in a case registered for the offences punishable under Sections
461 and 379/34 of the IPC.

The prosecution case as per the written report of Rakesh
Kumar, dated 01.11.2018, submitted to the S.H.O.,
Dumariyaghat Police Station is to the effect that on 30.10.2018,
the FIR named accused persons committed theft in the grocery
shop of the informant. On 01.11.2018, the informant came to
know from the neighbours that the FIR named accused persons
have committed theft in his shop.

It is submitted by learned counsel for the petitioner that no



recovery has been made from the petitioner and only on the basis of suspicion, the accusation has been levelled against him. It is further submitted that the informant is not the eye-witness to the occurrence. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner has been named in the FIR.

Considering the suspicious nature of accusation and the fact that no recovery has been made from the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with Dumariyaghat P.S. Case No. 188 of 2018.

(Dinesh Kumar Singh, J)

Amrendra/-

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