

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15935 of 2015

Arising out of PS.Case No. -586 Year- 2014 Thana -PURNEA SADAR District- PURNIA

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Guddu Kumar Choudhary, S/o Sri Ajay Prasad Choudhary, resident of
Gunda Chowk, P.S. Sadar, District – Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. N.K.Agrawal, Sr. Advocate & Mr.
Dhananjaya Nath Tiwari, Advocate.

For the Opposite Party : Mr. Ram Priya Saran, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-06-2015 The petitioner is languishing in custody since
28.11.2014 in connection with Sadar P.S. Case No. 586 of 2014
for the offences instituted under Sections 394 and 302 of the I.P.C.

Heard learned senior counsel for the petitioner and
learned counsel for the State.

The prosecution story, in brief, is that the informant
proceeded from Forbesganj alongwith Chhotelal Saha, Sharwan
Bhopal, Brajkishore and Raushan Gupta to Gulab Bagh to
purchase articles. It is further alleged having got down from the
train they all started crossing the over bridge and in the meantime,
one young person having Sawala reached before them and at the
strength of pistol asked to hand over the money and when Raushan
Gupta tried to say something the miscreants snatched away bag



from the hand of Raushan Gupta containing Rs. 1.75 Lacs. It is further alleged the miscreants also fired upon Raushan Gupta upon which he failed down and the miscreants fled away from the spot, though he and his companion chased the culprit. It is further alleged having heard the voice the police of the locality started assembling at the spot and further the injured Raushan Gupta was brought the Sadar Hospital, Purnea, where he died. The informant further claims that he could identified the culprits.

It has been submitted on behalf of the petitioner that the petitioner is not named in the F.I.R. The name of the petitioner has appeared in course of investigation. Further in course of investigation it came that the petitioner was seen with suspicious behaviour around the place of occurrence when the occurrence is said to have taken place. On the basis of the said behaviour of the petitioner he was arrested and thereafter a confessional statement was recorded by the police. In the said confessional statement, he stated that one Manjit Mandal is said to have fired upon the deceased and other accused snatched money bag from the hand of the deceased. It is further submitted that there is no direct evidence to show in respect of participation of the petitioner in the present occurrence except for confession. It is further submitted that the petitioner is in custody since 28.11.2014.

Learned counsel for the State has also fairly conceded to the abovementioned facts.

Considering the aforesaid facts and circumstances as there is no direct evidence as such against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea, in connection with Sadar P.S. Case No. 586 of 2014.

U.K./-

(Sudhir Singh, J)

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