

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43608 of 2015

Arising Out of PS.Case No. -11 Year- 2015 Thana -NAVHATTA District- SASARAM (ROHTAS)

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Lalan Singh, son of Motilal Singh, resident of Village- Thelabad, Nawadih,
P.S. Rohtas, District- Rohtas at Sasaram.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Smt. Anuradha Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-11-2015 Heard the learned counsel for the petitioner and the learned
counsel for the State.

The petitioner is languishing in custody since 15.03.2015 in connection with Nauhatta P.S. Case No.11 of 2015 for the offences instituted under Sections 147, 148, 148, 149, 353, 307, 384, 385, 386 of the IPC, Section 25(1-B)A, 26, 27, 35 of Arms Act, Section 34 of Explosive Substance Act and 17 of C.L.A. Act.

The prosecution story, in brief, is that an information given by S.P. that Area Commander of Naxal groups was arrived in the area and regularly collecting the levies and further also got information that on the alleged date of occurrence the Naxal group has come at village. The matter was reported to S.P. He along with other police has come and asked the naxal groups to surrender them but they started

discriminate firing but there was no firing started from the side of police and asked them to surrender before the police causing danger to life and property of the villagers. In firing one miscreants was apprehended by the police who having a country made carbine and said to have his name as Lalan Singh (the petitioner) and other miscreants are succeeded in fleeing away.

It is submitted on behalf of the petitioner that the petitioner is in custody since 15.03.2015. Chargesheet has been submitted in the case. There is no allegation of tempering with evidence against the petitioner. There is no injury attributed against the petitioner. One fire arm is said to have been recovered from the possession of the petitioner. It is further submitted that the petitioner may be released after completion of nine months in custody from 15.03.2015.

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and the circumstances, it is directed that the petitioner be released after completion of nine months in custody from 15.03.2015 on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Dehri, District-Rohtas in connection with Nauhatta P.S. Case No.11 of 2015.

Sanjeev/-

(Sudhir Singh, J)

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