

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48101 of 2014

Arising Out of PS.Case No. -138 Year- 2014 Thana -DALSINGHSARAI District- SAMASTIPUR

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Surendra Das @ Kauwa Son of Ganeshi Das resident of village- Pand,
P.S.- Dalsingsarai, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Singh

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 03-03-2015

Heard Mr. Diwakar Pd. Singh.

Nobody appears on behalf of the State.

The petitioner seeks bail in Dalsingsarai P.S. Case No. 138/2014 instituted under sections 394/411 IPC and section 25 (1-B) A, 26 & 35 of the Arms Act.

As per the FIR, at the relevant time the informant along with his nephew was riding a motor-cycle when all of a sudden three miscreants riding another motor-cycle overtook them and stopped the motor-cycle at gunpoint. In the process, the injury was also caused to the informant and his nephew. The accused persons thereafter tried to flee away therefrom with the robbed motor-cycle. The said motor-cycle was being driven by the petitioner who after covering some distance fell therefrom. On Hulla, the

villagers apprehended him.

The contention of the petitioner is that there is contradiction in the statement with regard to infliction of injury. The petitioner has falsely been implicated in this case. He is in custody since 09.03.2014.

Considering the allegation and the antecedent of the petitioner, this Court is not inclined to grant bail to the petitioner. His prayer for bail is accordingly rejected. However, the petitioner is granted liberty to renew his prayer for bail if the case does not make adequate progress within six months from the date of receipt/production of a copy of this order in the court below.

(Kishore Kumar Mandal, J)

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