

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35483 of 2015

Arising out of PS.Case No. -226 Year- 2015 Thana -BARH District- PATNA

Santosh Kumar, Son of late Kameshwar Mahto, resident of village-
Budhanichak (Naya tola) Police Station- Barh, District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Vinod Shanker Modi, Advocate.

For the Opposite Party : Mr. Dr. Kumar Uday Pratap(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 08.06.2015
in connection with Barh P.S. Case No.226 of 2015 for the offences
instituted under Sections 323, 307 and 379/34 of the IPC.

The prosecution story, in brief, is that while the
informant was going to his home after closing his shop and when
reached near *Chauraha* then two miscreants got down from the
motorcycle and surrounded him and snatched his gold chain and
they assaulted with pistol upon the head and fled away. During
fleeing away, the informant identified the petitioner and co-
accused Chandan Kumar in the motorcycle's light. The miscreants
also left one motorcycle there which has been handed over to the

police.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 08.06.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence. Relating to the same occurrence, two different F.I.Rs., were instituted stating two different versions. From perusal of the injury report of the informant in paragraph no. 19 of the case diary, it would appear that there is superficial injury on the head of the victim.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 A.C.J.M., Barh, Patna, in connection with Barh P.S. Case No. 226/2015.

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(Sudhir Singh, J)