

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45901 of 2014

Arising Out of PS.Case No. -265 Year- 2014 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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1. Md. Samar son of Md. Mastan, Resident of Village - Chaknoor, P.S. -
Muffasil, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh

For the Opposite Party/s : Ms. Rina Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

5 17-06-2015 Superintendent of Police, Samastipur, has appeared in person as directed. The reason why he has been put under the said embarrassment is because the I.O. could not comply with the judicial order and direction for producing the case diary on more than one occasion.

Today, case diary has been produced by the learned APP. After perusal of the same, she does truthfully inform the Court that there is no fire-arm injury. Chargesheet has not been submitted under the Arms Act. However, it has been submitted under other sections including 307 IPC because some injury on the forehead was found.

The exaggeration of such incident cannot be overruled. Looking at the material which has emerged during the course of

investigation and giving the benefit of doubt to the petitioner under the circumstances under which FIR was lodged, let the petitioner Md. Samar, in the event of arrest or surrender before the court below within four weeks, be enlarged on bail on furnishing bail bonds of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Samastipur, in connection with Samastipur (M) P S Case No. 265 of 2014, subject to the conditions as laid down under section 438 (2) of the Code of Criminal Procedure.

The personal appearance of the Superintendent of Police is hereby dispensed with but he is well advised to ensure that judicial orders are complied within the time-frame by one and all under his jurisdiction of the district.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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