

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23952 of 2015

Arising Out of PS.Case No. -55 Year- 2015 Thana -LAXMIPUR District- JAMUI

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1. Sanjay Kora S/o Govind Kora Resident of Village Nawadih, P.S. Laxmipur, District Jamui. At present Resident of Village Gopalpur Korasari, Kobardah, P.S. Chanan, District Lakhisarai.
 2. Borhan Kora S/o Matan Kora Resident of Village Gopalpur Korasari, Kobardah, P.S. Chanan, District Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar
For the Opposite Party/s : Ms. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2015 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are in custody in a case registered under
Sections 147, 148, 149, 120(B), 121, 121 (A) of the Indian Penal
Code and Sections 16, 17, 18, 19, 20 and 21 of the U.A.P.Act.

The prosecution case in, brief, is that the informant has
alleged that on 3.4.2014 at about 16 o' clock he got information
from the Superintendent of Police, Jamui that two notorious
naxal is within the Laxmipur Police Station was about to come at
Sonarwa village and thereafter he ordered for arrest with the help
of CRPF 31 Battalion and other police personnel and accordingly
he constituted a raiding team proceeded for stated place and in



reference thereof one Sanha entry has been made and proceeded for that village namely Sonarwa and they reached near Adhwariya forest and road leading to forest area and on seeing the police personnel of CRPF two persons begun to flee with the help of forest bushes and from, another direction other battalion was coming and with the help of the police personnel two persons arrested who was alleged these two petitioners and on forcibly interrogation they disclosed themselves to be the members of naxal and also confessed their involvement in other crimes and on their saying one place was raided and from their other alleged objectionable material has been recovered.

On behalf of the petitioners it has been submitted that the petitioners have falsely been implicated in the present case due to mistake of fact. It is further submitted that due to mistaken identification he is made accused, no objectionable material has been recovered from the possession of the petitioners. The petitioners are in custody since 05.04.2015. Learned counsel for the petitioners has submitted that the petitioners may be released after completion of six months in custody.

On behalf of the State it has been submitted that the petitioners are named in the FIR.

Considering the facts aforesaid, the above named

petitioners are directed to be released, after completion of six months in custody, on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Jamui, in U.A.P. P.S.Case No. 55/2015.

(Sudhir Singh, J)

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