

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24967 of 2015

Arising Out of PS.Case No. -175 Year- 2014 Thana -SAHEBGANJ District- MUZAFFARPUR

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Mukesh Ram Son of Sitaram Ram resident of village - Bhagwanpur, P.S.
Baruraj, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-07-2015 The petitioner is in custody since 13.04.2015 in connection with Sahebganj P.S. Case no.175 of 2014 for the offences instituted under Sections 147, 148, 149, 341, 323, 307, 302, 427 and 120'B' of the I.P.C., 27 of the Arms Act and 3 (2) (v) of SC/ST Act and 17 of C.L.Act.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that on 15.06.2014 the informant went to village Rajepur to attend marriage ceremony of the daughter of Rajeshwar Patel and he met Ram Naresh Bhagat Malakar and on the request of Malakarji informant sat along with his uncle Sudist Ram at back seat in the vehicle(Tata Vista) of Malakarji. Malakarji also sat at front seat of the vehicle



and his body guard sat in right side of the vehicle and they all proceeded at back about 11.35 p.m. and when the vehicle reached 100 yards far away of Sarvodaya Public School, Rajepur, the driver saw nails painted in the head lights of the vehicle and stopped the vehicle. It is further alleged that all of a sudden 10-12 criminals extremists started firing as a result of which the uncle of informant received fire arm injury and he died at the spot. The driver took his vehicle back. It is further alleged that the body guard of Malakarji also fired six rounds from his pistol. Malakarji came out of behind of his vehicle for hiding himself and he also received firing injury in his right hand and thereafter they all fled away towards near by village from the P.O. It is further alleged that the dead body of informant's uncle brought at S.K.M.C.H. and Malakarji also admitted at S.K.M.C.H.

It has been submitted on behalf of the petitioner that he has not been named in the F.I.R.. It has further been stated that the other co-accused persons have been granted bail vide Cr.Misc. No.50638 of 2014.

It has been submitted on behalf of the State that the name of the petitioner appeared in the present case in course of investigation.

Considering the aforesaid facts and circumstances,

let the petitioner above named, be released on bail on furnishing
bail bond of Rs.10,000/- with two sureties of the like amount each
to the satisfaction of the learned Sub-divisional Judicial
Magistrate, West, Muzaffarpur, in Sahebganj P.S. Case no.175 of
2014.

(Sudhir Singh, J)

AnilKrSinha/-

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