

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31453 of 2015

Arising Out of PS.Case No. -591 Year- 2014 Thana -GAYA KOTWALI District- GAYA

Bablu Kumar @ Rahul Gupta @ Rajesh Agrawal Son of Sri Janardan Prasad, resident of Mohalla - Piparpati, New Pattipar, Bambaiya House, Police Station - Civil Lines and District - Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Manish Kumar No-2
For the Opposite Party : Mr. Ambika Bhagat(Spl .A P.P.)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 16-12-2015 Heard the counsel for the petitioner and counsel for the State.

The petitioner is languishing in jail since 27.05.2015 in a case instituted under Section 364 of the Indian Penal Code and Sections 3(i) (x), 3(2)(v)(vi) of the Scheduled Castes and Scheduled Tribes.

As per prosecution case that the informant was going with patient on his ambulance and owner of ambulance and nephew Rajesh Kumar were also with him and a feat car and forcibly got down to Dharmendra Paswan from ambulance and started assaulted and thereafter confined him into dickey of car and on opposed by Dharmendra, they got seated to Dharmendra Kumar at back seat of the car and took him with them towards

Kirani Ghat.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.05.2015. Chargesheet has been submitted in the case. Petitioner has got no criminal antecedent. There is no allegation of tampering of evidence against the petitioner. Petitioner has been made accused due to mistake of fact. The alleged victim is said to have been recovered on the very next day of the alleged occurrence.

On behalf of the State, it has been submitted that the petitioner is not named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioner 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 learned CJM, Gaya in connection with Kotwali P.S.Case No.591 of 2014.

(Sudhir Singh, J)

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