

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42347 of 2015

Arising out of PS.Case No. -159 Year- 2014 Thana -PHULWARIA District- GOPALGANJ

RAZITAL CHAUDHARY @ RAJISTAL CHAUDHARY @ RAJISTAR CHAUDHARY @ RAJESTER CHAUDAHRY, Son of Jangali Chaudhary, resident of village- Koila Deva, P.S. Fulawaria, District Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ravindra Kumar, Advocate.

For the Opposite Party : Mr. Sharda Kumari(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-10-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 02.07.2015 in connection with Phulwaria P.S. Case No. 159 of 2014 for the offences instituted under Sections 147, 148, 149, 341, 307, 427 of the IPC., 27 of the Arms Act and 3/4of the Explosive Substance Act.

It is alleged that this petitioner threw bomb on the vehicle which hit on the head of the informant. It is further alleged that others have also armed with weapon and fired on the informant which hit different parts of the body of the informant.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. The petitioner is in custody since 02.07.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. From perusal of the injury report it appears that opinion has been reserved. It is further submitted that the petitioner may be released after completion of seven months in custody from 02.07.2015.

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, it is directed that the petitioner may be released on bail after completion of seven months in custody from 02.07.2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Gopalganj, in connection with Phulwaria P.S. Case No. 159 of 2014.

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(Sudhir Singh, J)