

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8054 of 2015

Arising Out of PS.Case No. -104 Year- 2014 Thana -UJIYARPUR District- SAMASTIPUR

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Md. Wakil, Son of Sheikh Abdul Hamid, resident of Village- Mustafapur,
P.S.- Bibhutipur in the District of Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Raj Kumar, Advocate

For the Opposite Party : Mr. L.K.Sharma(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-05-2015 Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner is apprehending his arrest in connection with Ujiyarpur P.S. Case No.104 of 2014 for allegedly having committed the offences under Sections 394, 307 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and though the name of the petitioner was not initially stated in the F.I.R., later on, on the confessional statement of one Shashi Kant Kumar Singh, the petitioner's name has surfaced. Said Shashi Kant Kumar Singh stated that the petitioner was following the accused persons in Maruti car. Learned counsel for the petitioner, however, submits that after perusal of the

entire case diary, it does appear that the petitioner has any connection with the occurrence of the present case, rather his name has been taken only on the basis of suspicion as the petitioner had been employed by the previous employer of said Ramesh Kumar, who was the second passenger of the said Maruti car.

Considering the fact that there is no cogent material in the case diary and the vagueness of the allegations made and also the fact that the petitioner is a man of clean antecedents, let the above named petitioner, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 the learned Sub-Divisional Judicial Magistrate, Dalsinghsarai, Samastipur, in connection with Ujiyarpur P.S. Case No.104 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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