

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24503 of 2015

Arising Out of PS.Case No. -90 Year- 2005 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Brahmdeo Ram @ Brahmdeo Chamar, S/o Late Bhukhlu Ram, Resident of
Village Barka Gaon, P.S. Pakaridayal, District East Champaran
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Raj Kishore Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 16-12-2015

Heard learned Counsel for the petitioner and

learned Counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Madhuban P.S. Case No. 90 of 2005 registered for the offences punishable under Sections 395 and 397 of the India Penal Code, 1860 (IPC), Section 27 of the Arms Act and 17 of C.L.A. Act.

Earlier diary in the present case was called for which has since been received. Learned Counsel for the petitioner submits that the petitioner is a home-guard and has been dedicated and efficient person conducting his duties to the satisfaction of all his superiors. He further submits that the name of the petitioner did not figure in the FIR and only on the basis of suspicion his name has been brought in the supervision

note, wherein the names of the 256 extremists have been given and the petitioner's name figures therein. He further submits that even in the confessional statement made by co-accused persons from whom recovery is said to have been made, the name of the petitioner does not figure.

Considering the aforementioned facts and circumstances of the case and also that the learned Counsel for the State has pointed out that there is no cogent material in the diary so as to implicate the petitioner. Let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Rs, Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Sikrahana, East Champaran at Motihari in connection with Madhuban P.S. Case No. 90 of 2005, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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