

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25123 of 2015

Arising Out of PS.Case No. -62 Year- 2012 Thana -DUMARIA District- GAYA

Sudama Bhuiyan son of Karu Bhuiyan, Resident of village- Hesrampur,
P.O.- Dumaria, P.S.- Dumaria, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar

For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 21-07-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
30.03.2015 in a case registered for the offences punishable under
Sections 147, 148, 149, 341, 323, 324, 307, 302, 435, 332, 353,
333, 120B of the Indian Penal Code, 27 of the Arms Act, 3/4/5 of
Explosive Substances Act, 10/11/13(i)/13(ii) of The Unlawful
Activities (Prevention) Act and 17 of Criminal Law Amendment
Act.

It is alleged that in cross firing six persons
from the armed force lost their lives. The name of the petitioner
transpired when the extremists were addressing to each other. It is
alleged that on information the police organized a raid and

proceeded to village Barha but before they could reach to the village due to the land mines blast at Karmasthan six police personnel were killed, though indiscriminate firing was also resorted to by the extremists. The police also resorted to fire. The accused persons were named on the basis of conversation between the accused persons.

It is submitted by learned counsel for the petitioner that 77 persons have been named in the FIR including the petitioner. The investigation has already concluded and neither there is any recovery from the petitioner nor the petitioner has been put on TIP. Though, petitioner is accused in one other case apart from the present one.

Considering the fact that the investigation has already concluded and co-accused Indradeo Yadav has been granted bail vide Cr. Misc. No. 17215 of 2013, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge –cum- Special Judge under UAP Act, Gaya in connection with UAP Trial No. 33 of 2015 arising out of Dumariya P.S. Case No. 62 of 2012.

Considering the nature of accusation, the learned court below will be at liberty to cancel the bail bonds of

the petitioner in two eventualities i.e. if he defaults for two consecutive occasions or substantially gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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