

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44164 of 2015

Arising out of PS.Case No. -238 Year- 2015 Thana -BODHGAYA District- GAYA

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Md. Shahnawaj @ Guddu, son of Md. Isha Ansari, resident of village -
Bhadaija, Police Station - Muffasil, District - Gaya..... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Manish Kumar No-2, Advocate.
For the Opposite Party : Mr. N.N. Tiwari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 13.07.2015
in connection with Bodh Gaya P.S. Case No. 238 of 2015 for the
offences instituted under Sections 153(A), 295(A), 120(b), 506
and 387/34 of the IPC and 66(A) and 66(C) of the Information
Technology Act.

The prosecution story, in brief, is that on 05.07.2015 at
11.30 A.M. the informant Nivas Kumar received message on his
Government Mobile No. 9431822201 from Mobile No.
8083988879 to the effect that before coming in jail 32 vehicles
have already been damaged. Further message was to blast
Bodhgaya Temple within ten days. It is further alleged that after

query, it was found that the said SIM was issued in favour of Md. Shamshuddin, Son of Md. Sapik, Gram-Bhadeja, District-Gaya. It is further alleged that earlier on 27.06.2015 at 12.36 P.M. a message was also sent on Mobile No. 7301166301. Apart from that, from the aforesaid Mobile, several messages have been sent to several police officers.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.07.2015 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 falsely been implicated in the present case by other co-accused. As per prosecution case, it is alleged that the petitioner had sent fake messages to the concerned police officer. It is further submitted that the petitioner may be released after completion of six months in custody from 13.07.2015.

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 above named may be released on bail after completion of six months in custody from 13.07.2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned

C.J.M., Gaya, in connection with Bodh Gaya P.S. Case No. 238 of 2015.

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(Sudhir Singh, J)

