

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18178 of 2016

Arising Out of PS.Case No. -577 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

1. Bitu Upadhyay Son of Sanjay Upadhyay R/o Village Marichaon, P.S. Bhabua, District Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-04-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 448, 341, 323, 504, 506/34 of the Indian Penal Code and 25(1-B)a, 26, 35 of the Arms Act.

The prosecution case is that when the informant was sleeping in his hut at 6.00 A.M. the petitioner Bittu Upadhyay and co-accused Bhupesh Singh entered into the hut, abused the informant in filthy language and put a pistol on his body. When the wife and sister of the informant came to rescue, sister of the informant snatched his pistol, then the accused persons fled away.

It is submitted by the learned counsel for the petitioner that admittedly no injury has been caused to any

one. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the fact that no injury has been caused to the informant, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 577 of 2015, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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