

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29123 of 2016

Arising Out of PS.Case No. -205 Year- 2016 Thana -CHAPRA TOWN District- SARAN

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Jwala Prakash @ Jwala Prakash Gupta @ Jwala Pd. Gupta Son of Sri Lal Babu Gupta resident of Village/Mohalla- Aarya Nagar, P.O.- Sahebganj, P.S.- Muffasil Chapra, Dist- Chapra, Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Maheshwar Prasad, Advocate.

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 6.5.2016 in connection with Chapra Town P.S. Case No. 205 of 2016 registered for offences under Sections 395 and 397 of the Indian Penal Code.

The prosecution story, in brief, is that while the driver of the informant proceeded with his pickup van having 55 bags of Dhaniya and reached ahead Bhikhari Chowk at 2 P.M, about 20 miscreants on ten motorcycles, stopped the pick up van and one of them fired with country made pistol touching his temporal region but the fire missed. Another miscreant got down the driver and gave knife blow in his abdomen but the turned back and started fleeing away due to which he sustained injury in his left futtock

side. The miscreants fled away with the pick up van. Later on the police arrested the petitioner and co-accused Rahul Singh.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 6.5.2016. Charge-sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The informant is the owner of the pickup van and is not eye witness to the alleged occurrence. There is no recovery of any looted articles from the possession of the petitioner. Other co-accused have been granted bail vide Cr. Misc. No. 32953 of 2016.

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, let the petitioner above named, 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 Chief Judicial Magistrate, Chapra in connection with Chapra Town P.S. Case No. 205 of 2016.

(Sudhir Singh, J)

Prakash/-

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