

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35604 of 2016

Arising Out of PS.Case No. -237 Year- 2015 Thana -JAMUI District- JAMUI

=====

1. Gautam Ram @ Dukka, Son of Ramesh Ram @ Rahis Ram, Resident of village- Kalyanpur, P.S. & District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Sri Anil Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-10-2016 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in a case registered under Sections 448, 307, 120(B) and 149 of the Indian Penal Code, 27 of Arms Act and 3,4,5 of Explosive Substance Act.

The prosecution case, as lodged by the Mukhiya of Harkhar Gram Panchayat, is that 04.09.2015 at 8.45 A.M. when he came out from his office room saw two unknown persons. One of them was of white complexion and another was wearing black glass, who abused him by calling Sautar Mukhiya and threatened to kill him. He also told that his leader brother Munna Sah and his associates have given order to kill and he took out pistol from his waist and fired on the informant but pellet did not hit him and he with a view to save his life confined himself in a room. His nephew Sushil Hembram was also sitting in dining hall. Both



miscreants entered into dining hall but his nephew caught one of the miscreants of white complexion. The another miscreant, who had black glass in the eye fired on him from his pistol but pellet hit one of the criminals then informant gave information to Superintendent of Police and Jamui police station by his mobile. On hulla miscreants exploded bomb and also made firing and fled away towards P.D. Middle School towards Budhan Talab Chowk. One rickshaw puller also sustained injury of extract of bomb. It is also alleged by the informant that when he was elected as Mukhiya all the accused persons under a conspiracy wanted to kill him. Munna Sah and Daya Rabidas from jail itself gave order to Mahesh Sah and other miscreants by phone to kill the informant saying that if he would be killed no body will contest election.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.12.2015. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The name of the petitioner has figured in the FIR on the basis of disclosure made by co-accused. There is no allegation of assault or overt act alleged against the petitioner. Other co-accused have been granted bail vide Cr. Misc. No. 15721 of 2016, Cr. Misc. No. 17148 of 2016 and Cr. Misc. No. 9379 of 2016

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let, above named petitioner, 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 learned C.J.M., Jamui in connection with Jamui P.S.Case No.237 of 2015.

(Sudhir Singh, J)

singh/-

U		T	
---	--	---	--