

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20661 of 2016

Arising Out of PS.Case No. -172 Year- 2015 Thana -RAMPUR District- GAYA

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Uday Chaudhary @ Uday Mallah, Son of Veeru Mallah @ Suresh Choudhary, Resident of Mohalla- Katari Hill, P.S Chandauti, District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Ram Chandra Sahni (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 16-05-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Rampur P.S. Case No. 172 of 2015, registered under Section 353, 307, 401 of the Indian Penal Code and Section 25(1-b)a, 26/35 of the Arms Act and Section 3/4 of Explosive Substance Act.

The accusation is that on receiving secret information regarding assembling of accused persons for making plan to commit dacoity, the Police party reached near Jail Press Colony, Shastrinagar, Gaya. On seeing the Police party, miscreants started to hurl bomb in which one Anand Kumar sustained injuries, thereafter, miscreants started to flee away. On chase, one Teni Manjhi was apprehended while other miscreants succeeded to flee away. The apprehended accused disclosed the name of his three associates including the petitioner.

Learned counsel for the petitioner submits that, in fact, it would appear from the F.I.R. that the name of the petitioner has been disclosed by co-accused, who is said to be apprehended by the Police on the spot. Further submission is that, in fact, petitioner is accused in four other cases, as detailed in para 03 of the petition, and due to that reason on the basis of the confessional statement of co-accused Teni Manjhi the petitioner has been implicated in this case. The petitioner is in custody since 19.09.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in connection with Rampur P.S. Case No. 172 of 2015 (G.R. No. 3537 of 2015). Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner.

(Rajendra Kumar Mishra, J)

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