

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11316 of 2016

Arising Out of PS.Case No. -108 Year- 2015 Thana -SATHI District-
WESTCHAMPARAN(BETTIAH)

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Bhutnath Choubey Son of Ravindra Choubey resident of village - Paroraha,
Police Station - Sathi, District - West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party : Mr. Yogendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection with Sathi P.S. Case No.108 of 2015 for the offences instituted under Sections 272, 273, 308, 414/34 of the Indian Penal Code, 47(A) of the Excise Act and under Sections 10, 13, 16, 17 of the Unlawful Activities (Prevention) Act, 1967.

The prosecution case, in brief, is that Sub-Inspector of Police got his self statement recorded on 6.6.2015 at 21.15 hours making accused to (1) Bijay Choubey, (2) Sujeet Pandey, (3) Madhuresh Pandey, (4) Vikash Tiwari, (5) Chandan Kumar, (6) Bhutnath Choubey (petitioner), (7) Om Prakash Pandey for the occurrence alleged to be taken place on the same day at 19.30 hours.

It is submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is no recovery from the conscious possession of the petitioner. The main allegation is against Vijay Choubey. It is further submitted that the petitioner is ready to deposit an amount of Rs.20,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs.20,000/- in the court below shall be subject to final disposal of the case and on doing so, let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Shri Kumar Sudhanshu, Judicial Magistrate-1st Class, Bettiah, District- West Champaran, in connection with Sathi P.S. Case No.108 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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