

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22351 of 2016

Arising out of PS.Case No. -135 Year- 2006 Thana -BARACHATTI District- GAYA

Srikant Bhuiyan, Son of Late Sanichar Bhuiyan, resident of Village - Jarlahi, P.S. - Mohanpur, District - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sudhir Kumar Sinha, Advocate.

For the Opposite Party : Mr. Bharat Lal (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-08-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 15.10.2015 in connection with Barachatti (Mohanpur) P.S. Case No. 135 of 2006 for the offences instituted under Sections 147, 148, 149, 353, 307, 121 of the IPC, 25(1-b)a, 25-1A, 25-1AA, 26(ii), 27, 35 of the Arms Act, ¾ of the Explosive Substance Act and 17 of Criminal Law Amendment Act.

The prosecution story, in brief, is that on 31.08.2006, the informant got confidential information that the M.C.C. Party is going to organize the meeting in the Village-Matgarhin, P.S. Mohanpur, and great leader of the organization will take part in the meeting and it is also expected that they will attack on



Chandrawa O.P. and planning to loot police arms. The meeting is being arranged by cum-Birendra Yadav, cum-Lakhan Yadav and Sheo Kumar Yadav of village-Matfarha. On that information, the informant entered Sanha daily C.D. The informant and his police party made a plan and in the leadership of S.P., proceeded to Chauparan P.S. at 7.00 P.M. and the police party of Sherghati Barkatta and Barachatti also accompanied and proceeded to Matgarha. On reaching Matgarha, heard sound of firing and bombing and police chased the extremists and they fled away. On search, the police recovered bomb, arms and explosive materials and other articles. It is expected by the police that the petitioner was also in the extremist party.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.10.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses against the petitioner. The petitioner has falsely been implicated in the present case. He has got no criminal antecedent. The other co-accused has been granted bail vide Annexure-2 to the present application

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 A.C.J.M. Sherghatti at Gaya in connection with Barachatti (Mohanpur) P.S. Case No. 135 of 2006.

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(Sudhir Singh, J)