

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30650 of 2016

Arising Out of PS.Case No. -265 Year- 2007 Thana -GOPALGANJ CITY District- GOPALGANJ

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Abraim Mian @ Amirain Mian Son of Late Abdul Aziz Mian Resident of village- Bhojpurawa, At present resident of village- Pratappur, Police Station- Manjhagarh, District- Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Lokesh Kumar Singh

For the Opposite Party : Mr. Sri Durgesh Nandan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-09-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody in connection with Trial No. 973 of 2016, arising out of Gopalganj (Town) C.I.S. No. 2586 of 2013, Gopalganj (Town) P.S. Case No. 265 of 2007 for the offences instituted under Sections 394, 302 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story in brief, is that while the deceased Raushan Kumar Choudhary, after withdrawing cash of Rs. 5, 90,000/- from S.B.I., four unknown miscreants came to him and wanted to snatch the bag containing cash and when he protested, one of the miscreants had fired on him, as a result of which, he died.



It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.04.2016. The charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the First Information Report. In course of investigation, it has come that the petitioner used to move in a suspicious manner. Except this, there is no evidence to implicate the petitioner in the present case. It is further submitted that the other co-accused has been granted bail vide Annexure-2 to the present application. It is further submitted that the petitioner may be released after completion of 9 (Nine) months in custody i.e. from 08.04.2016.

On behalf of the state it has been submitted that the petitioner is not named in the F.I.R but there are five cases pending against him and the co-accused, who has been granted bail does not have any criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail after completion of 9 (Nine) months in custody i.e. from 08.04.2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Gopalganj, in connection with Trial No.

973 of 2016, arising out of C.I.S. No. 2586 of 2013, Gopalganj
(Town) P.S. Case No. 265 of 2007.

(Sudhir Singh, J.)

Amit/-

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