

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32442 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -BUNIADGANJ District- GAYA

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Guddu Singh S/o Satyendra Singh, resident of Village- Kamalpur, P.S-
Mofassil, Distt.- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.33527 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -BUNIADGANJ District- GAYA

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Deepak Pandey @ Deepak Kumar Giri, son of Bharat Giri, Resident of
village- Lakarka Road No.4, P.S. Katras, Dist-Dhanbad (Jharkhand). At
present resides at Village-Kamlapur, P.S. Moffasil, Gaya, Dist.- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.32442 of 2016)

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh

(In Cr.Misc. No.33527 of 2016)

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 22-09-2016 Heard learned counsel for the petitioners and learned

counsel for the State.

The petitioners seek bail in a case instituted under

Sections 302, 394/34 of the Indian Penal Code and later on

Sections 396, 412 of the Indian Penal Code and Section 27 of the

Arms Act have also been added.



The prosecution case, in short, is that while the informant along with guard and custodian was going for cash loading with Rs. 11 lac to P.N.B. and B.O.I. A.T.M., at Mainpur Patwa Toli, three unknown persons came and opened fire on the head of guard Naresh Pandey and snatched his gun and further snatched the bag of cash from custodian Naresh Kumar Singh and fled away. It is alleged that the guard died on the spot.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 01.03.2016. The charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are not named in the First Information Report. For the first time, their name appeared on the basis of secret information. There is no eyewitness to the alleged occurrence.

On behalf of the state it has been submitted that though the petitioners are not named in the F.I.R. but on the confessional statement of the petitioners, incriminating articles are said to have been recovered.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners. The same is rejected in Buniyadganj P.S. Case No. 28 of 2016, pending in the court of learned Chief Judicial Magistrate, Gaya.

Anyhow, the trial court is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J.)

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