

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33304 of 2016

Arising Out of PS.Case No. -156 Year- 2015 Thana -RUPAULI District- PURNIA

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Osho Rishi Son of Late Dina Rishi, Resident of village- Turki, P.S.
Bhawanipur, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bishwanath Prasad Singh

For the Opposite Party : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Section 395 of the Indian Penal Code and Section 27 of the Arms
Act.

The prosecution case, in brief, is that ten unknown
miscreants, after entering into the house of the informant, looted
away Rs. 30,000/- . The accused persons also fired upon the two
sons of the informant, causing them injuries.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 23.12.2015. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. 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, the witnesses, in para-8, 9 and 12 of the case diary have claimed to have identified the petitioner and others. The occurrence is said to have taken place between 12.00 to 1.00 A.M. in the night. No source of identification has been disclosed by the said witnesses. The petitioner has not been put on Test Identification Parade. There is no recovery of any incriminating article from the possession of the petitioner.

On behalf of the state it has been submitted that the petitioner is not 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 Sri Pranav Kumar Bharati, learned Additional Chief Judicial Magistrate, Purnea, in connection with Rupauli P.S. Case No. 156 of 2015.

(Sudhir Singh, J.)

Amit/-

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