

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54184 of 2016

Arising Out of PS.Case No. -201 Year- 2016 Thana -SAHEBGANJ District- MUZAFFARPUR

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1. Deepak Kumar Vishwash @ Deepak Kumar Bishwas, Son of Devanand Bishwas, resident of Village- Barsauni Mahammadpur, P.S.- Dagarua, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 20-02-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Petitioner is in custody since 15.09.2016 in connection with Sahebganj P.S. Case No. 201 of 2016 registered under Sections 395 and 326 of the Indian Penal Code.

According to the prosecution, while the informant was engaged in loading his truck, a white colored car came in front of the truck and 5 to 6 miscreants started breaking the glass of the truck gate and two persons pressed the neck of the informant and one started to drive the truck and pointed out pistol on him and on the point of pistol they fled after taking the truck and his mobile also.

Learned counsel for the petitioner has submitted that the petitioner has not been named in the F.I.R. rather the entire prosecution story is against unknown persons. Nothing incriminating has been



recovered from the possession of the petitioner. Neither any witnesses have supported the implication of this petitioner in the alleged crime nor T.I. parade has yet been conducted. Charge sheet in this case has already been submitted by the police, therefore, there is no chance of tempering of evidences. Moreover, the petitioner is rotting in custody for last four months.

Considering the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Muzaffarpur in connection with Sahebganj P.S. Case No. 201 of 2016.

(Arvind Srivastava, J)

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