

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51622 of 2018

Arising Out of PS.Case No. -234 Year- 2013 Thana -BAIKUNTHPUR District- GOPALGANJ

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EKAM RAM, S/o late Bipat Ram Resident of Village- Chiutahan, P.S. Baikunthpur, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Uday Pratap Singh, Advocate.

For the Opposite Party : Mr. Ram Naresh Ray, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 147, 148, 149, 341, 342, 323, 379, 427, 435, 109, 307 of the IPC, 27 of the Arms Act, ¾ of Explosive Substance Act and 17 of C.L.A Act.

The prosecution story, in brief, is that the informant namely, Anil Kawath is working as Junior Manager of Vashishta Construction Pvt. Ltd., Sattar Ghat. On 29.12.2013 at about 9 P.M. when he was sitting in his room at Shitalpur Site after taking dinner and other employees and workers were taking meal in the mean while 100-150 persons armed with sophisticated weapon attacked on camp office. About 100 criminal surrounded the camp



office and 40-50 entered into the rooms of the camp office and compelled the employees/workers including the informant stand in the side of main gate situated in western side. Thereafter, they snatched the mobile phones of the employees and 15-20 criminals started watching them.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. F.I.R. is against 100-150 unknown persons. The name of the petitioner is alleged to have come in course of investigation. As per investigation, the name of the petitioner has come in the confessional statement of co-accused as being a member of unlawful assembly. There is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Gopalganj, in



connection with Baikunthpur P.S. Case No. 234 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

