

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18033 of 2019

Arising Out of PS. Case No.-23 Year-1992 Thana- NAURANGIA District- West Champaran

BANKA MALLAH @ BAKE SAHANI Son of Vriksha Mallah Resident of
Village - Rakhai Tola Kailasha Nagar, P.S.- Bagaha, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 353, 307 of the Indian Penal Code and
27 of the Arms Act.

The prosecution case in short is that while informant
along with police party reached the place of occurrence and on
seeing them, the accused persons surrounded them and started
firing on them.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 20.8.2018. There is no
allegation of tampering of witnesses alleged against the
petitioner. Charge-sheet has been submitted in the present case.



The petitioner had no knowledge regarding the alleged occurrence, hence, he has not surrounded in the present case. No one is said to have been injured in the present case. Hence no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -II, Bagaha in connection with Naurangia P.S. Case No. 23/1992, Tr. No. 377 of 2018.

(Sudhir Singh, J)

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