

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17142 of 2019**

Arising Out of PS. Case No.-155 Year-2018 Thana- DEO District- Aurangabad

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1. UPENDRA KUMAR BHUIYAN @ UPENDRA BHUIYAN AND AN Son of Late Faguni Bhuiyan Resident of Village - Barha Narayanpur, P.S.- Deo, Distt.- Aurangabad.
 2. Dhananjay Kumar Bhuiyan @ Dhananjay Bhuiyan, Son of late Shambhu Bhuiyan Resident of Village - Barha Narayanpur, P.S.- Deo, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 01-04-2019 Heard the learned counsel for the petitioners and the
learned APP for the State.

The petitioners seek regular bail in connection with Deo P.S. Case No. 155 of 2018, registered for the offence punishable under Sections 147, 148, 149, 307, 302, 353, 436, 435, 395, 121, 121(A), 122, 124(A), 120(b) of the Indian Penal Code, Sections 16, 17, 18, 20, 38, 40 of the U.P.A. Act and Section 3 /4 of the Explosive Substance Act.

The allegation is regarding several accused persons / miscreants having attacked the gas godown, whereafter, they had engaged in loot and firing. It is further



alleged that they had fired on the police force as well and had obstructed the Government servants in performing their work. Lastly, it is alleged that the said accused persons had fired on Nagendra Prasad Singh resulting in his death.

The learned counsel for the petitioner has submitted that as far as the petitioners are concerned, they have not been named in the F.I.R. and they have been subsequently roped in the present case on account of suspicion on the basis of confessional statement of the main accused persons, as also on the confessional statement of the petitioners herein, who are said to have cooked food for the naxalite accused persons. It is further submitted that the petitioners are having a clean antecedent and they are languishing in custody since 2.1.2019.

Having regard to the facts and circumstances of the case, as also considering the fact that the petitioners are having a clean antecedent and are not named in the F.I.R., I deem it fit and proper to direct for release of the petitioners on regular bail.

Accordingly, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount



each to the satisfaction of learned C.J.M., Aurangabad in
connection with Deo P.S. Case No. 155 of 2018.

(Mohit Kumar Shah, J)

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