

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59186 of 2019

Arising Out of PS. Case No.-72 Year-2015 Thana- NAUBATPUR District- Patna

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BOL BAM RAM @ BUM RAM, aged about 21 years, Son of Surendra Kumar @ Surendra Ram, Resident of Village - Naisarpura, Bhawanichak, Amarpura, P.S.- Naubatpur, Distt - Patna. (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Mritunjay Kumar, Advocate.
For the Opposite Party : Mr.Murli Dhar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 302, 392 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the informant being the Khalasi of Pick-up Van alongwith driver, Haribans Rai, proceeded from Naubatpur after loading straw and when he reached near Naubatpur Canal then four miscreants snatched Rs. 4,000/- from the pocket of driver Haribans Rai and two mobile phones. When he made protest then miscreants opened fire, which hit him. The four miscreants were aged about 30 years.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 02.07.2019. The petitioner has got no criminal antecedent. The



petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of confessional statement of co-accused. Neither there is any eye witness to the alleged occurrence nor the petitioner has been put on T.I. Parade to ascertain in respect of participation in the alleged occurrence. There is no recovery of any incriminating article from possession of the petitioner.

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, 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 the learned A.C.J.M.- II, Danapur, Patna, in connection with Naubatpur P.S. Case No. 72 of 2015, consequent G.R. No. 485 of 2015.

(Sudhir Singh, J)

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