

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64536 of 2019

Arising Out of PS. Case No.-265 Year-2019 Thana- KHAJANCHI HAT District- Purnia

PALTU DAS @ SUJEET DAS, aged about 27 years, Gender-Male, Son of Naresh Das, Resident of Mohalla - Sharda Nagar, P.S.- K. Hat (Sahayak), Distt - Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Mukesh Kumar Jha, Advocate.
For the Opposite Party : Mr.Vinod Shanker Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 323, 341, 379, 452/34, 354 of the IPC and 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that at about 11.00 P.M. in night on 15.04.2019, when the informant was sleeping in her house. Paltu Das (petitioner) and Sanjay Kumar Chaurasia came and entered into her house. They were carrying country made pistol and started abusing her. Sanjay Chaurasia caught hold her hand and started assaulting her, when she raised hulla, Paltu Das (petitioner) also caught hold her hand and took away her golden *Mangalsutra*. On hulla, her husband Sanjay Srivastava, brother-in-law Ajay Srivastava came and both fled away. While fleeing away, the pistol of the accused fall down on



place of occurrence and also the accused left their Motorcycle.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 25.07.2019. Charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. No arms is said to have been recovered from conscious possession of the petitioner. It is alleged that while the petitioner and other co-accused were fleeing away, they dropped one country made pistol at the place of occurrence. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is 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 C.J.M. Purnea, in connection with K. Hat P.S. Case No. 265 of 2019.

(Sudhir Singh, J)

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