

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68505 of 2019

Arising Out of PS. Case No.-10 Year-2014 Thana- SALAIYA District- Aurangabad

SANJIWAN BAITHA @ BHUPENDRA RAJAK @ SANJEEVAN RAJAK
Son of Bilash Rajak @ Rambilas Rajak Resident of Village - Lapura, P.S.-
Mufasil, Dist.- Aurangabad. (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lal Bahadur Singh
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Sections 147, 148, 149, 341, 307, 353, 124A of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act, Sections 3/4 of E.S. Act and Section 17 of C.L.A. Act.

Prosecution case, in short, is that the informant got secret information that about 100 maoist armed with deadly weapons are gathering on Chalho mountain headed by Sandeep Ji and Shivaji Dhobi with a view to attach on policy party. On information, the informant along with police personnel came there and started search. In course of search, the maoist started firing on police party and police party too started firing. In



course of firing both sides received fire arm injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.06.2018. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come on confessional statement of co-accused. Except for this, there is no other substantive evidence to suggest his implication in this case. No specific overt act is alleged against the petitioner.

On behalf of the State, it is 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 learned Additional District and Sessions Judge 2nd, Civil Court, Aurangabad in connection with S.Tr. No.417 of 2018 arising out of Salaiya P.S. case No.10 of 2014 (G.R. No.389 of 2014).

(Sudhir Singh, J)

Narendra/-

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