

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17555 of 2020

Arising Out of PS. Case No.-115 Year-2010 Thana- BARACHATTI District- Gaya

CHANDRIKA BHUIYA @ PANDA Son of Ramdev Bhuiya, Resident of
Village - Amarut Barkipokhar, P.S.- Dobhi, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-02-2021 Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 395 & 397 of the Indian Penal Code.

Prosecution story in short is that on 10-06-2010 one Daya Shankar gave his fardbeyan before S.H.O. Barachatti P.S. that he is driver of Bus No. BR 245-1675 which runs from Buxar to Ranchi. It is alleged that the informant along with conductor and passengers started the bus from Buxar to Ranchi and bus became in disorder in the jurisdiction of Barachatti P.S. and the wheel of the bus became punctured at 2.00 A.M. and they were



removing the wheel and in the meantime, 7-8 persons armed with deadly weapons came there and surrounded the bus and looted the passengers.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The petitioner is not named in the FIR. The name of the petitioner transpired in this case on the basis of confessional statement of co-accused Suraj Manjhi. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any incriminating article from possession of the petitioner. He has not been put on test identification parade to ascertain his participation in the alleged offence.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the



like amount each to the satisfaction of learned Additional Chief
Judicial Magistrate, Sherghati, Gaya in connection with
Barachatti P.S. Case No. 115 of 2010 subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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