

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34357 of 2020

Arising Out of PS. Case No.-37 Year-2020 Thana- DUMARIAGHAT District- East
Champaran

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RUPAM PATHAK son of Mohan Pathak, Resident of Village- Pakadi, P.S.-
Dumariya Ghat, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Pandey, Adv.
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-01-2021 Heard both sides.

Petitioner seeks bail in Dumariya Ghat P.S. Case
No.37 of 2020 registered under Section 307 and other minor
sections of the IPC and under Section 27 of the Arms Act.

The informant named altogether 23 persons and
alleged that they all entered into his house, looted different
articles and Pintu Mishra and Rupam Pathak (petitioner) are
alleged to have made firing.

Learned counsel for the petitioner submits that there is
a case and counter case. No specific allegation is made against
the petitioner. No offence under Section 307 of the I.P.C. is
made out. There was no material on the place of occurrence that
any firing was made. No empty cartridge was found. Nobody



was inured in the alleged firing. The petitioner is in jail since 12.06.2020.

Taking into consideration the facts aforesaid and the fact that the petitioner is in jail since 12.06.2020, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Dumariya Ghat P.S. Case No.37 of 2020.

(Prabhat Kumar Jha, J)

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