

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26697 of 2016

Arising Out of PS.Case No. -26 Year- 1992 Thana -TAJPUR District- SAMASTIPUR

Chandeshwar Sah, Son of Late Baso Sah, resident of Village -Bishanpur
Bathua, P.S.Pusa District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Amit Anand, Advocate.

For the Opposite Party : Mr. Md. Sufiyan, A.P.P.


CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 30-09-2016 A report has been received from the court below. The
same is at Flag-‘B’.

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

The petitioner is languishing in custody since 07.12.2015
in connection with Tajpur (Waini)P.S. Case No. 26 of 1992, T.R.
No. 278 of 2016 for the offences instituted under Sections 147,
148, 149, 307, 353 of the IPC, 27 of the Arms Act and ¾ of the
Explosive Substances Act.

The prosecution story, in brief, is that on 16.01.1992
while the informant was on duty, about 4-5 accused persons
hidden in the tobacco field, started firing upon the police force. In
retaliation to that, the police also fired upon them as a result of



which they fled away. They also threatened to one Ramji Pandey to put the village on fire and also fired on the house of Ramji Pandey by surrounding it. Ramji Pandey also fired upon the criminals. On chase by the police, the criminals fled away but the police identified the criminals with several weapons in their hands including the petitioner. The petitioner kept a bag containing bomb on his back. The police seized some cartridges from the place of occurrence.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.12.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. Altogether 12 persons are named in the FIR including the petitioner. General and omnibus allegation has been made against him. No specific injury has been attributed against the petitioner. None is said to have been injured in course of occurrence.

On behalf of 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 bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like

amount each to the satisfaction of the learned J.M. Ist Class,
Samastipur, in connection with Tajpur(Waini) P.S. Case No. 26 of
1992, T.R. No. 278 of 2016.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

