

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24618 of 2015

Arising Out of PS.Case No. -899 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Motilal Paswan son of Girdhari Paswan resident of village Bakhari, P.S. Adapur, District - East Champaran.
 2. Rajesh Kumar Mukhiya @ Rajesh Mukhiya Son of Shambhu Mukhiya resident of village - Tinkoni, P.S. - Darpa, District - East Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Sharan Singh

For the Opposite Party/s : Mr. Meena Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 23-07-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are languishing in custody since 19.12.2014 and 17.01.2015 in a case registered for the offences punishable under Sections 458, 380, 307/511 of the Indian Penal Code and 25(1-B)a/26/27 of the Arms Act.

The prosecution case is that some miscreants were cutting the shutter of the shop of the informant six accused persons were seen in flash light fleeing away, out of them two persons were caught on the spot. From possession of petitioner no. 1 Motilal Paswan one scissor, screw driver and four live cartridges

were recovered who disclosed the name of petitioner no. 2 Rajesh Kumar Mukhiya and others to have escaped from the scene.

It is submitted by learned counsel for the petitioners that the investigation has already concluded and name of petitioner no. 2 sprang up only on the confession of petitioner no. 1.

Considering the fact that the investigation has already concluded, let the above named petitioners, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 899 of 2014.

Since the petitioners are accused in two other cases, the learned court below will be at liberty to cancel the bail bonds of the petitioners in two eventualities i.e. if they default for two consecutive occasions or substantially get involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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