

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42510 of 2015

Arising Out of PS.Case No. -27 Year- 2015 Thana -DEORIYA District- MUZAFFARPUR

- =====
1. Jainand Sahani Son of Harihar Shahani null
 2. Chand Kishore Sahani, son of Harihar Shahni Both resident of village-
Marbab Saiya, P.s.- Panpur, District- Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Smt. Pushpa Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-11-2015 Petitioners are permitted to make necessary correction in
para-1 of the petition.

Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted under
Sections 147, 148, 149, 353, 307, 120B of the Indian Penal Code,
25 (1-B)A, 26, 27 and 35 of the Arms Act and 10, 13, 16(B),
18,19 and 20 of the U.P.A. Act.

As per prosecution case, on getting secret information
that naxals were planning to commit a serious attack, police raided
the area, apprehended petitioners along with others and recovered
arms and ammunitions from the possession of the petitioners.

It has been submitted on behalf of the petitioners that
they have got no criminal antecedent. They are in custody since
21.4.2015. There is no allegation of tampering of evidence against
the petitioners. No offence under Section 307 of the Indian Penal
Code is attracted in the present case as no one has been injured in
course of the alleged occurrence. From the possession of

petitioner no. 1 one country made Muscat rifle is said to have been recovered and from the possession of petitioner no. 2, one country made pistol along with one live cartridge is said to have been recovered. Other co-accused have been granted bail vide Cr. Misc. no. 42343 of 2015 and Cr. Misc. No. 42260 of 2015.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum Special Judge, Muzaffarpur, in connection with Deoriya P.S. Case no. 27 of 2015.

(Sudhir Singh, J)

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