

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43454 of 2015

Arising Out of PS.Case No. -24 Year- 2015 Thana -PARASI District- JEHANABAD

Indradeep Mahto @ Pankaj Son of Late Sakaldeep Mahto Resident of Village - Ramlagan Bigha, P.S.- Rampur, District - Arwal

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.51791 of 2015

Arising Out of PS.Case No. -24 Year- 2015 Thana -PARASI District- JEHANABAD

Ekbal Ansari @ Md. Ekbal Ansari @ Ekbal Ansari son of Esmail Ansari Resident of village- Makbulpur, P.S.- Parasi, Dist- Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.43454 of 2015)

For the Petitioner : Mr. Subhash Chandra Bose

For the Opposite Party : Mr. Ram Anurag Singh (App)

(In Cr.Misc. No.51791 of 2015)

For the Petitioner : Mr. Kulanand Jha

For the Opposite Party : Mr. Anil Kumar (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-11-2015 Heard the counsel for the petitioners and counsel for the State.

The petitioners are languishing in jail since 30.05.2015 in a case instituted under Sections 25 (1-b)a, 26, 35, 25(1-b)aa of the Arms Act and Sections 13, 17, 19, 20 and 40 of the Unlawful Activities(Prevention) Act.

As per prosecution case, it is a case of recovery of

some arms and ammunition from the possession of the accused persons.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 30.05.2015. Chargesheet has been submitted in the case. There is no allegation of tampering of evidence against the petitioners. No arms is said to have been recovered from the possession of petitioner Indradeep Mahto. As far as petitioner Ekabal Ansari is concerned, one country made pistol and four live cartridges is said to have been recovered. Petitioners have falsely been implicated in the present case. No compliance of Section 100 of the Cr.P.C. has been followed. The other co-accused has been granted bail by this Court vide Cr.Misc.No.42843 of 2015

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

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) each with two sureties of the like amount each to the satisfaction of learned CJM, Jehanabad in connection with Parasi P.S.Case No.24 of 2015.

(Sudhir Singh, J)

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