

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51288 of 2014

Arising Out of PS.Case No. -38 Year- 2014 Thana -HASPURA District- AURANGABAD

- =====
1. Sukhdeo Rajbanshi S/o Puran Rajbanshi R/o Village Thakurbigha, P.S. Daudnagar, District Aurangabad.
 2. Mangal Ram @ Hanuman S/o Late Dukhdeon Ram R/o Village Kusha, P.S. Obra, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Prem Kumar Jha (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-03-2015

Heard learned counsel for the petitioner and the State.

In this case, petitioner is seeking bail in Haspura P.S.Case No. 38 of 2014 registered u/s 147, 148, 149, 121, 121(A), 120(3) IPC, 25(1-B)a/26/35 of the Arms Act and 17 of the CLA Act.

Police on receipt of secret information that some miscreants belonging to MCC had assembled in the house of Surendra Rajwar, conducted a raid on 15th June 2014 at 07:00 PM and apprehended the petitioners along with others. From the possession of petitioners live cartridges and arms were recovered. In Para-3 it has been stated that petitioners have no criminal antecedent and they are in custody since 16th June 2014.

In the facts and circumstances of the case, petitioners Sukhdeo Rajbanshi and Mangal Ram @ Hanuman are directed to

be released on bail on their furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of SDJM, Daudnagar, Aurangabad in Haspura P.S.Case No. 38 of 2014 with the conditions that:

(i) one of the bailors will be a close relative of the petitioners,

(ii) if the petitioners would be found involved in similar type of case in future, prosecution will be at liberty to file application for cancellation of bail and the court below will pass necessary order, including cancellation of bail bonds and

(iii) that the petitioners would co-operate in the proceedings of the court and if they would fail to co-operate in the proceedings of the court below and will remain absent for two consecutive dates without reasonable explanation, the court below will pass appropriate order, including cancellation of bail bonds.

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(Shivaji Pandey, J)