

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38844 of 2014

Arising Out of PS.Case No. -115 Year- 2013 Thana -SAHEBGANJ District- MUZAFFARPUR

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1. Rajiv Ranjan S/o Awadhesh Rai Resident of Village Muraul, Police Station Sakara, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.51339 of 2014

Arising Out of PS.Case No. -115 Year- 2013 Thana -SAHEBGANJ District- MUZAFFARPUR

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1. Subhash Gupta @ Chandan @ Sushant @ Savant S/o Devendra Gupta R/o Village Jahanabad, P.S. Lalgan, District Vaishali.
2. Rambalak Paswan @ Dhiraj Ji @ Razatji S/o Yogendra Paswan R/o Village Tariyani Chabra, P.S. Tariyani, District Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.38844 of 2014)

For the Petitioner/s : Mr. Ratnakar Ambastha

For the Opposite Party/s : Mr. Pramod Kumar Pandey (App)

(In Cr.Misc. No.51339 of 2014)

For the Petitioner/s : Mr. Aditya Narayan Singh-1

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

03/ 04.03.2015 Both the above stated petitions arise out of Sahebganj P.S.

Case no. 115/2013 registered under section 307 of the IPC, 27 of the Arms Act, 3/ 4 of the Explosive Substance Act, 17 CLA Act and accordingly, both the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

Petitioners are not named in the first information report but in course of investigation, some witnesses claimed to have seen petitioners committing the alleged crime.

Learned counsel appearing for the petitioner in Cr. Misc. no. 38844/2014 submits that co-accused Pravesh Kumar Mishra having similar allegation has already been granted privilege of bail by a coordinate bench of this court vide order dated 26.11.2014 passed in Cr. Misc. no.43309/2014.

Learned counsel appearing for petitioners in Cr. Misc. no. 51339/2014 submits that petitioners were remanded in several cases which were registered either against unknown persons or names of the petitioners were given only on the basis of suspicion and in some of the cases, petitioners have already been granted privilege of bail by different benches of this court.

Petitioner in Cr. Misc. no. 38844/2014 carries criminal antecedent of two cases whereas petitioners in Cr. Misc. no. 51339/2014 carry criminal antecedent of eight cases but admittedly, in some of the cases, petitioners in Cr. Misc. no. 51339/2014 have already been granted privilege of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the above stated petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate (West), Muzaffarpur in Sahebganj P.S. Case no. 115/2013.

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(Hemant Kumar Srivastava,J)