

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13630 of 2015

Arising Out of PS.Case No. -92 Year- 2013 Thana -KHUDAGANJ District- NALANDA
(BIHARSHARIFF)

1. Niranjan Kumar Son of Dayanand Prasad Resident of Village- Aima Chouki, P.s- Khizersarai, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.18681 of 2015

Arising Out of PS.Case No. -92 Year- 2013 Thana -KHUDAGANJ District- NALANDA
(BIHARSHARIFF)

1. Ajeet Kumar, S/O Govind Mahto, Resident of Village- Ayeema Chauki, P.S.- Khijarsarai, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.13630 of 2015)

For the Petitioner/s : Mr. Satya Veer

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

(In Cr.Misc. No.18681 of 2015)

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Shahin Begum(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 20-05-2015 Both the above stated petitions arise out of Khudaganj P.S.Case No. 92 of 2013 registered under section 25(1-b)a/35/26/27 of the Arms 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 Additional Public Prosecutor for the State.

Petitioner in Cr. Misc. No. 13630 of 2015 is said to have

caught by the police just after the alleged occurrence but not from the place of occurrence rather it is stated that while petitioner was fleeing by motor cycle, he was arrested by officer-in-charge of Ekangersarai police station and on search one country made loaded pistol and Rs. 10,000/- was recovered from his conscious possession.

Admittedly, petitioners are in jail custody since long but they were not produced before the bank officials for Test Identification Parade. So far as, petitioner in Cr. Msc. No. 18681 of 2015 is concerned, neither he was caught on the spot nor anything was recovered from his conscious possession. Moreover, having more or less similar allegation, some co-accused have already been granted privilege of bail by a co-ordinate Bench of this Court.

Accordingly, petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Khudaganj P.S.Case No. 92 of 2013.

(Hemant Kumar Srivastava, J)

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