

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39761 of 2015

Arising Out of PS.Case No. -62 Year- 2015 Thana -RAIL District- LAKHISARAI

- =====
1. Md. Sajjad @ Md. Sahjad, son of Abul Hasan
 2. Md. Jahangir, son of Late Mofid, Both are resident of Village-Subhanpur Kotoriya, P.S.- Amarpur, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-10-2015

Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

The petitioners are languishing in custody since 9.6.2015 in connection with GRP Kiul P.S. Case No.62 of 2015 for the offences under Sections 25(1-B), A, 26 and 35 of the Arms Act.

It is alleged that while the informant-Police Officer along with other police party was on escort duty in Hawarrah-Danapur Express and the train started from Lakhisarai Railway Station, two miscreants seeing the police party started fleeing away in sleeper coach No.1. Both of them were apprehended and disclosed their names as the petitioners. On search a loaded automatic country made pistol was recovered from the possession of the petitioner No.1 Md. Sajjad and five live cartridges in a magazine was also recovered from the possession of the petitioner No. 2 Md. Jahangir.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 9.6.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioners. From the possession of the petitioner No. 1 one loaded country made pistol is said to have been recovered and from the possession of the petitioner no. 2 one loaded magazine is said to have been recovered. The recovery is denied by the petitioners. It is further submitted that the petitioners may be released on bail after completion of six months in custody from 9.6.2015.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioners above named, be released on bail after completion of six months in custody from 9.6.2015 on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Rail Judicial Magistrate, Kiul in connection with GRP Kiul P.S. Case No. 62 of 2015.

(Sudhir Singh, J)

S.Pandey/-

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