

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44428 of 2014

Arising Out of PS.Case No. -57 Year- 2014 Thana -GWALPARA District- MADHEPURA

- =====
1. Birendra Sah Son of Late Kamal Sah
 2. Laxman Sharma Son of Late Satan Sharma
 3. Chandan Sharma Son of Tahal Sharma All R/o Village Majhua, P.S.
Gwalpara, District Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit(APP)

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 04-02-2015 Heard Mr. Shailendra Kumar Singh, learned counsel for
the petitioner and learned counsel for the State.

The petitioners are in custody in connection with
Gwalpara P.S. Case No. 57 of 2014 for offence punishable under
Sections 379, 307, 504 and 506/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Learned counsel for the petitioners with reference to
the FIR submits that apart from the fact that it has been instituted
after an unexplained delay of three days even when the petitioners
have been charged with theft of the two buffalos of the informant,
no recovery has been made from the possession of these
petitioners nor there is any fire arm injury though an allegation of

gun shot firing has been made in the FIR and that these petitioners for the allegations have remained in custody since 1.8.2014 insofar as the petitioner nos. 1 and 2 are concerned and 7.8.2014 insofar as petitioner no. 3 is concerned.

Having heard learned counsel for the parties and considering the submissions aforementioned, let the petitioners namely (1) Birendra Sah; (2) Laxman Sharma and; (3) Chandan Sharma be released on bail upon each of them individually furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class- Uda-Kishunganj, Madhepura in connection with Gwalpara P.S. Case No. 57 of 2014, G.R. No. 1671 of 2014.

S.Sb/-

(Jyoti Saran, J)

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