

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50498 of 2015

Arising Out of PS.Case No. -195 Year- 2015 Thana -BANKA District- BANKA

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1. Abhishek Kumar Singh Son of Basath Prasad Singh @ Rajat Kumar Singh

2. Sagar Kumar Singh @ Manjit Kumar Singh @ Manjit Son of Bibhash Prasad Singh Both residents of village - Kurmadih, P.S. Shambhuganj, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Niwas Singh

For the Opposite Party/s : Mr. Ramchandra Sahani(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 21-12-2015 Heard learned counsel for the petitioners and learned A.P.P. representing the State.

Petitioners seek bail in connection with Banka P.S. Case No. 195 of 2015 registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Section 25(1-b)A, 26, 35 of the Arms Act.

The petitioners and others were arrested by the police when they were travelling in the vehicle and on search, from possession of petitioner no. 1, one mobile and cash of Rs. 140/- and from possession of petitioner no. 2, also one mobile and identity card of college were recovered and further arms and ammunitions were recovered under the bonate of the vehicle.

Submission is of false implication and that similarly situated other co-accused namely, Shrawan Kumar Singh @ Rahul Kumar Singh, Gulsan Kumar Singh @ Rohit Kumar Singh have been allowed bail by another co-ordinate Bench of this Court and the petitioners are suffering in custody since 03.04.2015.

The learned A.P.P. fairly submits that similarly situated co-accused have been allowed bail.

In the facts and circumstances stated above, both the petitioners are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Learned A.D.J., IVth, Banka arising out of Banka P.S. Case No. 195 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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