

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16617 of 2015

Arising Out of PS.Case No. -323 Year- 2014 Thana -SAHARSA District- SAHARSA

1. Sonu Kumar Son of Jawahar Sah Resident of Meer Tola Near Malariya
office, Police Station - Saharsa, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.19751 of 2015

Arising Out of PS.Case No. -323 Year- 2014 Thana -SAHARSA District- SAHARSA

1. Sarwan Paswan @ Srawan Paswan @ Sharwan Kumar son of Laxmi
Paswan resident of village- Dhan Chhola, P.S.- Sour Bazar, District-
Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.16617 of 2015)

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

(In Cr.Misc. No.19751 of 2015)

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Md. Fahimuddin(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-06-2015 Heard learned counsel for the parties in both the cases as
they have been taken up together.

The petitioners seek their bail in Special Case No.11 of
2014/Special Case No.6 of 2015 arising out of Saharsa Sadar
P.S.Case No.323 of 2014 registered under Sections 25(1-B) A, 26,
35 of the Arms Act and Sections 20 and 22 of the N.D.P.S. Act.

The informant made allegation that when he was on

patrolling duty, on information, he apprehended the petitioners and on from possession of petitioner Sonu Kumar, 1 kg. Ganja and from the possession of petitioner Sarwan Paswan, one loaded country made pistol were recovered.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 19.5.2014 and petitioner Sonu Kumar has no criminal antecedent.

From perusal of the FIR itself, it appears that 1 kg. ganja is said to have been recovered from the possession of Sonu Kumar and one loaded country made pistol is said to have been recovered from the possession of petitioner Sarwan Paswan. It has further been submitted that recovered contraband has not been sent to test and hence, it can not be ascertained as Ganja.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the facts aforesaid, both the petitioners, named above, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri A.K. Jha, Special Judge-cum-Additional District Judge, Ist, Saharsa in connection with Special Case No.11 of 2014/Special Case No.6 of 2015 arising out of Saharsa Sadar P.S.Case No.323 of 2014.

(Sudhir Singh, J)

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