

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44154 of 2015

Arising Out of PS.Case No. -37 Year- 2015 Thana -JADOPUR District- GOPALGANJ

- =====
1. Rohit Kumar @ Ajay Son of Prem Lal Mochi Resident of village – Chhatwan, P.S. Kawati, District - Darbhanga
 2. Bhola Sah @ Karan Son of Binod Sah Resident of Village - Purani Bazar, P.S. Motipur, District - Muzaffarpur
 3. Pawan Yadav @ Chhotu Son of Megha Yadav Resident of village – Sengar Tola, P.S. Revilganj, District - Saran (Chapra)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-12-2015

Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted under Section 414 of the Indian Penal Code and 25(1-b) a, 26 and 35 of the Arms Act.

Allegation is that on secret information police party raided the area of Patahara Chharaki Dam and on chase apprehended the petitioners and found arms and ammunitions and other articles after searching them.

It has been submitted on behalf of the petitioners that they have no criminal antecedents. They are in custody since 23.5.2015. Chargesheet has been submitted in the present case. There is no allegation of tampering of evidence against the petitioners. As per prosecution case, one loaded country made pistol is said to have been recovered from the possession of petitioner no. 1, one loaded country made pistol is said to have

been recovered from the possession of petitioner no. 2 and two live cartridges are said to have been recovered from the possession of petitioner no. 3. No compliance of Section 100 of the Code of Criminal Procedure has been made. Petitioners have remained in custody for more than six months. Other co-accused has been granted bail vide Cr. Misc. no. 44081 of 2015.

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

Considering the aforesaid facts and circumstances, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of Sri Abhisheak Kunal, Judicial Magistrate, Ist Class, Gopalganj, in connection with Yadopur P.S. Case no. 37 of 2015.

(Sudhir Singh, J)

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