

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50436 of 2015

Arising Out of PS.Case No. -155 Year- 2015 Thana -SAHEBGANJ District- MUZAFFARPUR

- =====
1. Ram Balak Rai, Son of Late Nagina Rai
 2. Binod Rai, Son of Late Devnath Rai.
- Both residents of village- Sundrapur, Malahi Tola, P.S.- Kesariya,
District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma (APP)

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 10-11-2015 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case registered for the
offence punishable under Sections 25 (1-b) a/26/35 of the Arms
Act.

Allegedly, one country made loaded pistol and six live
cartridges were recovered from the possession of the petitioner
no.1 and five live cartridges were recovered from the possession
of the petitioner no.2.

It is submitted on behalf of the petitioners that both of
them have remained in custody since 25.06.2015. So far as
criminal antecedents of the petitioners are concerned, it has been
stated that there is only one case against them being Kesariya P.S.

Case No.140/2015 registered for the offences punishable under Sections 341, 342, 323, 324, 325, 307, 379, 384/34 of the Indian Penal Code, however, not under the Arms Act. It is also stated that this case was counterblast to a case which was lodged by the petitioners' side.

Having regard to the facts and circumstances of the case, the petitioners, namely, Ram Balak Rai and Binod Rai, are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, West, Muzaffarpur in connection with Sahebganj P.S. Case No.155 of 2015, with a further condition that one of the bailors must be a close relative or family member of the petitioners who shall file affidavit before the concerned court giving complete genealogy to show his/her relationship with them.

Further, the petitioners shall remain present on each and every date during the course of concerned proceeding. If the petitioners fail to remain present on two consecutive dates without any reasonable explanation then the court concerned would be at liberty to take steps for cancellation of their bail bonds.

If the petitioners, after their release in this case, are

again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

U		T	
---	--	---	--