

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30559 of 2015

Arising Out of PS.Case No. -152 Year- 2015 Thana -DARBHANGA District- DARBHANGA

1. Abdul Majid Son of Abdul Ghaffar Resident of Village - Bareba, P.S.- Saraiya, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.40781 of 2015

Arising Out of PS.Case No. -152 Year- 2015 Thana -DARBHANGA District- DARBHANGA

1. Pappu Kumar son of Jagdeo Rai Resident of village - Mirjapur, P.S. - Bochaha, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.30559 of 2015)

For the Petitioner/s : Mr. Vijay Kumar Singh

For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

(In Cr.Misc. No.40781 of 2015)

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 29-10-2015 Supplementary affidavit is filed in Cr. Misc. No. 30559 of 2015.

Both the above stated petitions have arisen out of Darbhanga P.S. Case No. 152 of 2015 registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and

Sections 25(1-b)a, 26, 35 of the Arms Act and accordingly, both the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners are said to have been arrested by the police when they had assembled to make preparation for committing dacoity and it is alleged that one country made katta along with one live cartridge was recovered from conscious possession of the petitioner in Cr. Misc. No. 30559 of 2015 whereas mobiles, cash and intoxicated tablets were recovered from possession of petitioner in Cr. Misc. No. 40781 of 2015.

Learned counsel appearing in Cr. Misc. No. 30559 of 2015 submits that having similar allegation co-accused, Ajay Jha @ Babua Don and some others have already been granted privilege of bail.

Learned counsel appearing in Cr. Misc. No. 40781 of 2015 submits that factum of recovery of intoxicated tablets has not been mentioned by the investigating officer in memo of arrest which is evident from perusal of the case diary.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, above

named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Darbhanga in connection with Darbhanga P.S. Case No. 152 of 2015.

(Hemant Kumar Srivastava, J)

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