

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12061 of 2016

Arising Out of PS.Case No. -214 Year- 2015 Thana -KORHA District- KATIHAR

1. Subodh Rai S/o Haribol Rai
2. Pankaj Kharwar S/o Sahdeo Kharwar
Both resident of village - Makaipur, P.S. Korha, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Atul Chandra(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 02-05-2016 Heard the learned counsel for the petitioners and the learned A.P.P. representing the State.

The petitioners seek bail in connection with Korha P.S. Case No. 214 of 2015 registered for the offences punishable under Sections 399, 402, 395, 307/34 of the Indian Penal Code and Section 25 (1-B)a, 26, 35 of the Arms Act and Section 3 /4 Explosive Substance Act.

Allegedly, five motor-cycle borne criminals started assaulting the informant and snatched Rs. 3070/- and mobile, the informant identified one Md. Mazibur Rehman @ Luto and during search, the informant and others went at the house of Naresh Mahto where miscreants were staying and after seeing

the villagers, miscreants started fleeing away with motor-cycle after opening fire but the fire arm was snatched, Dabloo Singh threw bomb but however, both the petitioners were caught and from Dikki of the motor-cycle country made bomb and Katta were recovered.

Submission is of false implication and that the petitioners have been made victim of the circumstances, nothing has been recovered from their conscious possession and without any fault, they are suffering in custody since 12.11.2015, they have got no criminal antecedent as alleged nothing has been recovered from their conscious possession, to which, the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that charge-sheet has already been submitted and, as such, considering the detention of the petitioners, above named, 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 Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 214 of 2015, subject to the conditions that one of the bailors must be a 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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