

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 27513 of 2016

Arising out of P.S. Case No. - 124 Year - 2015 Thana - BELSAND District - SITAMARHI

- =====
1. Idrish Nat @ Idrish Nut, S/o Khalil Nut, Resident of Village Rupauli P.S Tariyani District Sheohar
 2. Ram Charan Sahni, S/o Ramhit Sahni, Resident of Village - Dekkuli Dharmpur, P.S Pipradhi, District Sheohar

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Uday Kumar, Advocate

For the Opposite Party : Mr. Sri Mustaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 16-09-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecution for the State.

The petitioners seek bail in a case instituted for the offences punishable under Sections 399, 402, 120B/34 of the Indian Penal Code, Sections 3/4 of the Explosives Act and Sections 25(1-b)a/26/35 of the Arms Act.

Petitioners were caught on the spot while they along with others had assembled for committing dacoity and it is alleged that firearms as well as explosive substance were recovered from possession of the petitioners. The learned trial court has reported that the case is pending for supply of police paper.

Considering the facts and circumstances of the case as well as submission of the parties, I am not inclined to release

the petitioners on bail, as least, at this stage and, accordingly, their prayer for bail in connection with Belsand P.S. Case No. 124 of 2015 pending in the court of learned Chief Judicial Magistrate, Sitamarhi, stands rejected.

However, the learned Chief Judicial Magistrate, Sitamarhi is directed to commit the case of the petitioners in accordance with law within four weeks from the date of receipt/production of a copy of this order and furthermore, petitioners may renew their prayer for bail before the learned trial court itself after framing of the charge.

(Hemant Kumar Srivastava, J.)

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