

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29103 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -SONBERSA District- SITAMARHI

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1. Mukesh Kumar @ Mukka, son of Late Chandeshwar Mahto, Resident of Village - Sonbarsa, P.S. - Sonbarsa, Dist - Sitamarhi.
 2. Mohan Kumar son of Jagdish Mahto, Resident of Village - Dostiya, Both P.S. - Sonbarsa, District - Sitamarhi.

.... Petitioners.

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-07-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners are accused in connection with Sonbarsa P.S. Case No. 17 of 2016, registered under Sections 302, 115/34 of the Indian Penal Code and Section 25(1-b)/26,35 of the Arms Act.

The accusation is that on receiving secret information regarding gathering of the miscreants with intent to commit murder of present Mukhiya, namely, Sanjay Kumar. When Police personal reached there then miscreants started fleeing, but on chase five persons, including the petitioners, were apprehended by the Police. On search of each petitioner, one country made pistol and a live cartridge were recovered from

their possession, whereas others were also found arms and ammunitions.

Learned counsel for the petitioner submits that petitioners have falsely been implicated in this case. Further submission is that similarly situated co-accused Umesh Mahto has already been granted privilege of bail by a co-ordinate Bench of this Court vide order dated 24.05.2016 passed in Criminal Misc. No. 15372 of 2016. The petitioners are in custody since 05.02.2016.

Having regard to the facts and the circumstances of the case, the petitioners, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in connection with Sonbarsa P.S. Case No. 17 of 2016. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner.

(Rajendra Kumar Mishra, J.)

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