

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43532 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -BOCHAHAN District- MUZAFFARPUR

- =====
1. Suresh Rai , son of Late Yogendra Rai, Resident of village Narha, P.S. Rajepur, District East Champaran.
 2. Shyam Sundar Paswan, son of Late Lalchand Paswan, Resident of village Narha, P.S. Rajepur, District East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arun Kumar, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 20-10-2016 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are in custody since 08.01.2016 in connection with Bochahan P.S. Case No. 02 of 2016 for the offences alleged under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b) and 26/35 of the Arms Act.

3. It is submitted that the petitioners have been falsely implicated as recovery of one country made pistol with two cartridges has been made from co-accused Chandan Kumar Singh @ Chandan Singh who has been granted bail by this Court in Cr. Misc. No. 36297 of 2016. Admittedly, no recovery has been made from the conscious possession of the petitioners and recovery of one rifle was under the seat of the vehicle.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Muzaffarpur

in connection with S. Tr. No. 346 of 2016 arising out of Bochahan P.S. Case No. 02 of 2016 with the following conditions:

(i) That one of the bailors of each of the petitioners shall be their close relative.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

B.T/Ibrar

(Vikash Jain, J)

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