

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21994 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -GARKHA District- SARAN

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1. Santosh Rai son of Sukhnandan Rai, R/o village- Belwan Tola, P.s.- Doriganj, District- Sran
 2. Praduman Puri son of Ramjee Puri, R/o village- Sehsi, P.S.- Baikunthpur, District- Gopalpur

.... Petitioners

Versus

The State of Bihar.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 23-05-2016 Heard learned counsel for the petitioners and learned APP
for the Sate.

The petitioners seek bail in connection with Garkha P.S. Case No. 05 of 2015 registered for the offences punishable under Sections 25(1-b)a, 26/35 of the Arms Act, Section 17 C.L.A. Act and Sections 10, 13, 16, 17, 18, 20 of U.A.P.A. Act.

Allegedly, five persons including the petitioner no. 1 Santosh Rai were caught, from a room and from possession of some co-accused firearms were recovered whereas from possession of the petitioner no. 1 Santosh Rai two mobiles were recovered and the arrested accused persons stated the name of petitioner no. 2 Praduman Puri.

Submission is of false implication and that they have been

made victim of police atrocity, co-accused Jitendra Rai from whose possession firearm was recovered has already been allowed bail vide Cr. Misc. No. 16623 of 2016 by another co-ordinate Bench of this Court and further similarly situated co-accused Sudarshan Ram has already been allowed bail to which learned APP does not dispute.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. V, Saran at Chhapra in connection with Garkha P.S. Case No. 05 of 2016, 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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