

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56384 of 2015

Arising Out of PS.Case No. -171 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

- =====
1. Rahul Ram son of Mahesh Ram
 2. Parmjit Ram Son of Hari Ram Both resident of village- Nankar Simardah, PS.- Mejorganj, District- Sitamarhi

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Md. Arif(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-02-2016 Heard learned counsel for the petitioners and

learned A.P.P. representing the State.

The petitioners seek bail in connection with Majorganj P.S. Case No. 171 of 2015 registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code, Sections 25(1-B), (a), 26, 35 of Arms Act and read under under Section 17 C.L.A. Act.

Allegedly, from possession of the petitioner Rahul Ram, one country made loaded pistol and from possession of petitioner Parmjit Ram, three live cartridges were recovered and it is alleged that they have assembled to commit crime for not paying levy.

Submission is of false implication and that nothing was recovered from possession of the petitioners, they have been made victims of the circumstance, they are suffering in custody since 17.07.2015, having no criminal antecedent.

Learned A.P.P. fairly submits that considering the detention of the petitioners, now lenient view can be taken.

In the facts and circumstances stated above, 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 Additional Chief Judicial Magistrate, Sitamarhi arising out of Mejorganj P.S. Case No. 171 of 2015, subject to the conditions that one of the bailors must be 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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