

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10717 of 2016**

Arising Out of PS.Case No. -48 Year- 2015 Thana -DHOLBAJJA District- BHAGALPUR

- =====
1. Ranbijay Sharma Son of Manikant Sharma, Resident of Village -  
Khairpur Kadwa, P.S. - Kadwa Dholbazza, District - Bhagalpur.  
2. Prakash Sharma, Son of Late Kamli Sharma, Resident of Village - Bind  
Tola, Louwa, Lagan, P.S. - Chousa, District - Madhepura.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Ms. Gulnar Begum(App)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3      06-09-2016      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with a  
case registered for the offences punishable under Sections 302/34  
of the Indian Penal Code and Section 27 of the Arms Act.

Diary in this case was called for, which has, since been  
received.

Learned counsel for the petitioners submits that at the time  
of lodging of First Information Report, the petitioners were not  
arrayed in the category of accused. Later on, his name has come in  
the confessional statement made by a co-accused before the  
police. It is submitted that such a statement made by the co-  
accused Pankaj Pandit before the police has no evidentiary value.

Learned Additional Public Prosecutor after perusal of the case diary submits that save and except the aforementioned confessional statement, there is no further material in the case diary to implicate these petitioners.

Considering the entire facts and circumstances and that there being no cogent material in the case diary, let the petitioners abovenamed, in the event of their arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Naugachia, Bhagalpur, in connection with Dholbazza (Kadwa) P.S. Case No. 48/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

**(Anjana Mishra, J)**

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