

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32958 of 2016

Arising Out of PS.Case No. -249 Year- 2010 Thana -MADANPUR District- AURANGABAD

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1. Bilas Bhuiyan @ Vilash Bhuiyan
2. Karu Bhuiyan @ Karu Bhuiyan, both S/o Late Bhajan Bhuiyan R/o
Village- Sahiyari, P.S.- Madanpur, District- Aurangabad (Bihar)

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioners : Mr. Lal Bahadur Singh, Adv.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 20.06.2016 in connection with Madanpur P.S. Case No. 249 of 2010 for the offences alleged under Sections 147, 148, 149, 307, 353 of the Indian Penal Code and Sections 25(1-b)a/26/27/35 of the Arms Act and 17 of C.L.A. Act.

3. It is submitted that the petitioners have been falsely implicated on mere suspicion and nothing has been recovered from the conscious possession of the petitioners and no recovery of the seized articles has been made from the house which was in joint occupation. Similarly situated co-accused Ramlagan Bhuiyan being the brother of the petitioner has been granted bail

by this Court in Criminal Miscellaneous No. 19798 of 2016.

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 Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No. 249 of 2010 with the following conditions:

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

(ii) That the petitioners shall not indulge in any similar offence.

(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.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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