

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16748 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -LAXMIPUR District- JAMUI

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1. Ganesh Ram Son of Basudeo Ram, Resident of Village - Kamal
(Chaupalwa), P.S. - Lakshmipur, District - Jamui. Petitioner

Versus

1. The State of Bihar Opposite Party

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with

Criminal Miscellaneous No.19887 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -LAXMIPUR District- JAMUI

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1. Binod Murmu @ Binod Murnu, Son of Late Fagu Murmu Resident of
village- Bagdhshwa, Tola Moteyakund, P.S.- Balhar, District- Banka.

.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

(In Cr.Misc. No.16748 of 2016)
For the Petitioner/s : Mr. Prabhat Ranjan Singh
For the Opposite Party/s : Mr. Madhuranand Jha (App)
(In Cr.Misc. No.19887 of 2016)
For the Petitioner/s : Mr. Vijay Kumar
For the Opposite Party/s : Md. Matloob Rab, (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 21-06-2016 Above noted both the applications have arisen out of one

occurrence i.e. Lakshmipur P.S. Case No. 04 of 2016 registered

for the offences punishable under Sections 147, 148, 149, 121, 121

(A), 120B of the Indian Penal Code, Sections 25(1-b)a, 26 of the

Arms Act and Sections 16, 18, 20, 21, 22 of the U.A. P. Act and as

such they have been heard together and are being disposed of by

this common order.

Allegedly, acting on a tip off that Naxalites have



gathered at Kajha Forest raid was conducted but after seeing the Police Party most of them fled away, however, the petitioners were caught and on search one country made rifle was recovered from possession of Binod Murmu and one loaded country made Katta was recovered from Ganesh Ram and further one live cartridge was also recovered from each of them.

Submission is of false implication and that the said search and seizure were not made in accordance with law, copy of seizure list was not handed over to them, the recovered cartridges are misfired one and without any fault they are suffering in custody since 08.01.2016.

Learned APP submits that the petitioner Ganesh Ram has got one criminal antecedent whereas petitioner Binod Murmu has got no criminal antecedent as per disclosure made in paragraph three of their application.

In the facts and circumstances stated above, the petitioners above named of both the cases **shall be released on bail after completion of six months in custody from the date of their remand in this case** 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 Sessions Judge, Jamui in connection with UAP Case No. 03 of 2016 arising out of

Lakshmipur P.S. Case No. 04 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.

avin/-

(Jitendra Mohan Sharma, J)

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