

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16742 of 2016

Arising Out of PS.Case No. -171 Year- 2015 Thana -MUFFASIL District- AURANGABAD

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1. Ashok Ram S/o Sri Godhan Ram,
2. Pintu Ram, S/o Sri Godhan Ram,
Both are resident of village - Kariyawa, P.S. - Aurangabad (Muffasil),
District – Aurangabad Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 28-06-2016 Heard learned Sr. Counsel for the petitioner and
learned counsel representing the State.

The petitioners seek bail in connection with Aurangabad (Muffasil) P.S. Case No. 171 of 2015 registered for the offences punishable under Sections 25(1-B)a, 26, 27, 35 of the Arms Act.

Allegedly, after killing the wife of the informant, the petitioner no.1 Ashok Ram fled away after throwing the pistol on the stack of sand and thereafter, the same was recovered. The petitioners are in custody since 11.12.2015.

Submission is that nothing was recovered from conscious possession of the petitioner, the petitioners by remaining in custody have been sufficiently penalized and as such they deserve sympathetic consideration to which the learned APP submits that

the petitioner no. 1 Ashok Ram used the said pistol for killing the deceased.

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 Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Muffasil) P.S. Case No. 171 of 2015, 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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