

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30106 of 2016

Arising Out of PS.Case No. -91 Year- 2016 Thana -NATHNAGAR District- BHAGALPUR

Mithilesh Kumar @ Mikhru @ Mithilesh Mandal @ Makhru son of
Chandradeo Mandal Resident of village - Pannuchak, P.S. Ghogha ,
District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.36313 of 2016

Arising Out of PS.Case No. -91 Year- 2016 Thana -NATHNAGAR District- BHAGALPUR

Bhola Mandal S/o Late Parsadi Mandal R/o Village- Pannu Chak, P.S.-
Kahal gaon, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2016 Since both cases arise out of Nathnagar P. S. Case no. 91
of 2016, they have been heard together and are being disposed of
by this common order.

The petitioners seek bail in a case instituted under
Sections 25 (1 AA), (1-b) a, 26 and 35 of the Arms Act.

Allegation is that while checking vehicles on road by the
informant, being police personnel, petitioners coming on a
motorcycle were stopped and on search arms were recovered from
them without valid documents.

It has been submitted on behalf of the petitioners that
they are in custody since 14.3.2016. Chargesheet has been

submitted against the petitioners. No allegation of tampering of witnesses is alleged against the petitioners. It is alleged that from the possession of petitioner, namely, Mithilesh Kumar, one live cartridge is said to have been recovered and from the possession of petitioner, namely, Bhola Mandal, one country made double barrel gun along with 48 cartridges is said to have been recovered. Petitioners have remained in custody for about six months. There is no compliance of Section 100 Cr. P.C.

On behalf of the State, it is submitted that petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, Bhagalpur, in connection with Nathnagar P.S. Case no. 91 of 2016.

(Sudhir Singh, J)

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