

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11177 of 2017**

Arising Out of PS.Case No. -350 Year- 2016 Thana -FATUHA District- PATNA

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1. Nitish Kumar, S/o Shailendra Singh,  
2. Chandan Kumar, S/o Shailendra Singh, Both are resident of Village-  
Janardhanpur, P.S.- Fatuha, District- Patna.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. N.K. Agrawal, Sr. Advocate.  
Mr. Dhananjaya Nath Tiwari, Advocate.

For the Opposite Party : Mr. Anand Kishore Choudhary, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      17-03-2017                      Heard both sides.

The petitioners seek bail in Fatuha P.S. Case No. 350 of 2016, registered for the offences punishable under Sections 25(1-B)/A/26/35 of the Arms Act and under Section 379 of the Indian Penal Code.

The police raided the house of Satish Kumar @ Pachchus Kumar and recovered country made gun. The petitioners are brothers of Satish Kumar @ Pachchus Kumar.

Learned counsel for the petitioners submits that nothing has been recovered from possession of the petitioners. The petitioners were granted anticipatory bail by the Sessions Judge, Patna but the petitioners could not surrender in the court below in



time. Later on the petitioners surrender in the court below and made prayer for regular bail, but due to inadvertence the petitioners could not state in his bail petition that the petitioners had earlier moved for anticipatory bail before the Sessions Judge, Patna and on that ground the prayer for bail of the petitioners was rejected. It is further submitted that Shailendra Singh, father of the petitioners has already been granted bail by the Additional Sessions Judge, Patna City. The petitioners are in jail since 16.01.2017.

Considering the facts aforesaid the petitioners above named are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1<sup>st</sup> Class, Patna City in Fatuha P.S. Case No. 350 of 2016.

**(Prabhat Kumar Jha, J.)**

KKSINHA/-

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