

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39714 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

- =====
1. Plash Ray @ Palash Roy, S/o Nilai Ray.
 2. Dipankar Sarkar @ S/o Late Jagarnath Sarkar.
Both R/o Village-Gaitor, P.O. Tahirpur, P.S. Raiganj District-Uttar
Dinajpur, (West Bengal).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Aslam Ansari

For the Opposite Party/s : Mr. Rajballabh Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 21-08-2017 Heard the learned counsel for the petitioners and APP
for the State.

The petitioners seek bail in connection with Kishanganj
P.S. Case no. 15 of 2017 registered under Section 399 and 402 of
the Indian Penal Code and Section 25(1-b)a 26/35 of the Arms.
Act.

A country made pistol is said to have been recovered
from the possession of the petitioner no. 1 (Plash Ray) and one
mobile phone from the possession of the petitioner no. 2
(Dipankar Sarkar)

It is submitted by the learned counsel for the petitioners
that no incriminating article has been recovered from the
possession of the petitioners. They have falsely been implicated



in the case. Though a country made pistol is shown to be recovered from the possession of the petitioner no. 1 (Plash Ray), but no live cartridge has been recovered from his possession and without cartridge, the pistol is useless. Moreover, from the possession of the petitioner no. 2 (Dipankar Sarkar) only mobile phone has been recovered. The petitioners have been languishing in custody since 09.01.2017.

Considering the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Kishanganj in connection with Kishanganj P.S. Case no. 15 of 2017.

(Prakash Chandra Jaiswal, J)

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