

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51586 of 2017

Arising Out of PS.Case No. -69 Year- 2017 Thana -BHAIRABASHTHAN District- MADHUBANI
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1. Sushil Kumar Sah son of Ramu Sah
2. Santosh Kumar Mahto @ Santosh Mahto, son of Mahendra Mahto Both are Resident of Village- Sarisabpahi, P.S.- Pandaul, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance:

For the Petitioner/s : Mr. Bimal Kumar, Advocate.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP.
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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 22-12-2017 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in Bhairav Asthan P.S. Case No. 69 of 2017 registered under Sections 399, 402, 412, 413 and 414 of the Indian Penal Code and Section 28 of the Arms Act.

On the tip off about congregation of some miscreants at Bideshwar Chowk to commit some offence, the police raided the said place and apprehended some of them and recovered and seized one fake pistol and two mobile phones from the possession of petitioner no.2 Santosh Kuamr Mahto and one air gun and two mobile phones from the possession of petitioner no.1 Sushil Kumar Sah.



It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in this case. No incriminating article has been recovered from their conscious physical possession. As a matter of fact, at the time of occurrence, the petitioners had gone to Bideshwar Asthan to offer worship and the police apprehended them and roped in the case showing the aforesaid recovery from their possession. The petitioners have been languishing in custody since 25.07.2017.

In the facts and circumstances of the case, the above named petitioners 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 learned Additional Chief Judicial Magistrate 1st, Jhanjharpur, Madhubani in connection with Bhairav Asthan P.S. Case No. 69 of 2017.

(Prakash Chandra Jaiswal, J)

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