

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.169 of 2017

Arising Out of PS.Case No. -277 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Bhagwan Rai @ Sri Bhagwan, Son of Late Brijkishor Yadav, Resident of Village- Nanka Tola(Laxmipur) Kathariya, P.S.-Lakhaura, District-East Champaran.
2. Madan Rai, Son of Badri Rai, Resident of Village- Dostiya, P.S. - Lakhaura, District-East Champaran.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md. Anis Akhtar, Advocate.
For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 13-02-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners are accused in connection with Muffassil (Lakhaura) P.S. Case No. 277 of 2016 registered under Section 414 of the Indian Penal Code and Sections 25(1-B)(A), 26(2) and 35 of the Arms Act.

The accusation is that police apprehended both petitioners in course of checking of vehicle. On search, petitioner no. 1 was found in possession of one country made loaded pistol whereas petitioner no. 2 was also found in possession of one live cartridge.



Learned counsel for the petitioners submits that after remanded in the present case, the petitioner no. 1 has also remanded in Chauradano P.S. Case No. 38 of 2016, registered under Sections 147, 148, 149, 353, 307, 120 (B) of the Indian Penal Code and Section 27 of the Arms Act, in which, the allegation against petitioner no. 1 is that he succeeded to flee away from the place of occurrence. Whereas petitioner no. 2 has no criminal antecedent. Further submission is that petitioners are in custody since 26.07.2016.

Having regard to the facts and the circumstances of the case, the petitioners above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran, in connection with Muffassil (Lakhaura) P.S. Case No. 277 of 2016. Out of two sureties, one surety must be the close relative of the petitioners.

(Rajendra Kumar Mishra, J)

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