

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2834 of 2017

Arising Out of PS.Case No. -305 Year- 2016 Thana -NATHNAGAR District- BHAGALPUR

- =====
1. Ranbir Kumar @ Ranbir Yadav, Son of Anil Yadav.
 2. Dabul Mandal, Son of Hari Shankar Mandal.
 3. Anil Yadav, Son of Late Basudeo Yadav, All resident of Village-Baikunthpur, P.S.- Sultanganj, District- Bhagalpur.
 4. Kailash Prasad Yadav Kailash Yadav, Son of Mahendra Prasad Yadav, resident of Village- Gosaidaspur, P.S.- Nathnagar, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

with

Criminal Miscellaneous No.2929 of 2017

Arising Out of PS.Case No. -305 Year- 2016 Thana -NATHNAGAR District- BHAGALPUR

- =====
1. Basuki Yadav Son of Late Pancha Yadav
 2. Vivek Yadav Son of Late Medni Yadav Both Resident of Village-Gosaidaspur, P.S.-Nathnagar, District-Bhagalpur,
 3. Gulabi yadav Son of Jai Ram yadav, Resident of Village-Madhopur, P.S.-Nathnagar, District-Bhagalpur
 4. Biranjay Kumar Ray Son of Late Sita Ram Ray, Resident of Village-Sahpur, P.S.-Nathnagar, District-Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

(In Cr.Misc. No.2834 of 2017)

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

(In Cr.Misc. No.2929 of 2017)

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-02-2017 Since both the abovementioned cases arise out of the same police station case, they are clubbed together and are being decided by this common order.



Petitioners in both the cases seek regular bail in connection with Nathnagar P.S. Case No. 305/2016, corresponding to G.R. No. 3726/2016 registered for offences punishable under Sections 25(1-AA), 25(1-b), 26 and 35 of the Arms Act.

It has been submitted on behalf of the petitioners that from perusal of the F.I.R. itself, it will appear that no arms or cartridges were recovered from these petitioners. Petitioners have been implicated in this case only on the basis of suspicion as they had assembled at the place of raid and the petitioners have no criminal antecedent and they are all languishing in judicial custody since 30.10.2016. It has further been submitted that another co-accused having similar allegation has already been granted bail by this Court vide order dated 13.01.2017 passed in Criminal Miscellaneous No. 1111 of 2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that nothing has been recovered from the possession of the petitioners and also another co-accused having similar allegation has already been granted bail by this Court and the petitioners have been in judicial custody since 30.10.2016, let the petitioners in both the above mentioned cases, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of



the like amount each to the satisfaction of learned ACJM-I, Bhagalpur, in connection with Nathnagar P.S. Case No. 305 of 2016, corresponding to G.R. No. 3726 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

sunil/-

U			
---	--	--	--

