

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23101 of 2017

Arising Out of PS.Case No. -254 Year- 2014 Thana -KHARAGPUR District- MUNGER

- =====
1. Bilash Banwar, Son of Kamli Banbar, resident of Village Purushottampur (Jabayat), Police Station Haveli Kharagpur, District-Munger.
 2. Subhash Basuki @ Subhaski, Son of Summer Basuki, resident of Village Bishakol, Police Station Haveli Kharagpur, District Munger.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate

For the Opposite Party/s : Smt. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-05-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with Kharagpur P.S.Case No. 254 of 2014 registered for the offences punishable under Sections 25 (1 a), 25 (1 aa), 25 (1 b)a c, 26(II) and 35 of the Arms Act.

Petitioners are not named in the FIR and later on their names transpire during course of investigation. Allegation as per FIR is that police raided and found one mini gun factory was running by accused persons.

It has been submitted on behalf of the petitioners that except confessional statement there is nothing against the petitioners and nothing has been recovered and petitioner No.1 is in custody for about five months and petitioner No.2 for about four months having clean antecedent.

Heard learned APP also, who could not controvert the above submission.

Having heard both sides and considering the aforesaid



facts and circumstances and also considering the fact that they have no criminal antecedent, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger, in connection with Kharagpur P.S.Case No. 254 of 2014, subject to the conditions that :-

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

(Vinod Kumar Sinha, J)

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