

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42398 of 2017

Arising Out of PS.Case No. -644 Year- 2015 Thana -PHULWARI District- PATNA

- =====
1. Doctor Nut @ Pawan Nut, Son of Laxaman Nut, Resident of Bela Laxamanpur, P.S.- Bihta, District- Patna, at present Maurya Bihar Colony, Khagaul Lakh, P.S.- Phulwarisharif, District- Patna.
 2. Dhandhan Nut, Son of Raj Kumar Nut @ Raju Nut, Resident of Khagaul Lakh Par, P.S.- Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anurag Anand

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-09-2017

Heard the parties.

The petitioners seek regular bail in connection with Phulwarisharif P.S.Case No.644 of 2015 dated 10.9.2015 , registered for offences punishable under Sections 399/402 of the Indian Penal Code and Section 25(1-B)A/26/35 of the Arms Act.

Allegation against the petitioners is that the police raided the place and found the petitioner along with other co-accused persons while making preparation of *dacoity*.

Submission of the learned counsel for the petitioners is that nothing has been recovered from their possession and they have been falsely implicated in this case and except one more case, they have no criminal antecedent. The petitioners are in



custody since 31.5.2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna in connection with Phulwarisharif P.S.Case No.644 of 2015.

With following conditions :

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

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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