

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25060 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

=====

1. Dilip Choudhari Son of Sri Chaudhari
2. Chhotelal Ram Son of Umesh Ram. Both are Resident of Village-Sohra
Tribhuani, P.S.-Krishnagarh (Barahara) District-Bhojpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance:

For the Petitioners : Mr. Sheo Jee Mishra, Advocate.

For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are in custody since 23.01.2017 in
connection with Ara Town P.S. Case No. 17 of 2017 for the alleged
offences under Sections 399, 402 of the Indian Penal Code and
Section 25(1-b) a and 26/35 of the Arms Act.

3. It is submitted that the petitioners have been falsely
implicated on mere suspicion and in any event except a mobile
phone and Rs. 10/- being recovered from each of the petitioner nos.
1 and 2, there is no recovery of any arms whatsoever from them.
The petitioners happen to be members of a Band party who were
returning after performing from Sanadia Village and are in no way
connected with co-accused Dhiraj Kumar from whom recovery of
country made pistol and some cartridges is alleged to have been
made.



4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Town P.S. Case No. 17 of 2017 on the following conditions :-

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/-

U		T	
---	--	---	--

