

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27064 of 2017

Arising Out of PS.Case No. -524 Year- 2016 Thana -SAHARSA District- SAHARSA

- =====
1. Rahul Sharma, son of Bido Sharma @ Vidyanand Sharma, resident of Village- Mohaniya, P.S. Bakhtiyarpur (Balwahat O.P.), District- Saharsa.
 2. Nand Kumar Yadav @ Mikal, Son of Lutan Yadav, resident of Village- Arraha, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners are in custody in connection with Saharsa P.S. Case No. 524 of 2016 for the offences under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Counsel for the petitioners submits that the petitioners have not been named in the FIR whereas the persons named in the FIR have been granted bail by this Court. The name of the petitioners surfaced in this case on the basis of the confessional statement of co-accused.

From perusal of Annexure-2 series it appears



that similarly circumstanced other accused, whose names figure in the FIR, have been granted bail by this Court in Cr. Misc. No. 39786 of 2016 vide order dated 2.12.2016, Cr. Misc. No. 47797 of 2016 vide order dated 7.12.2016 and Cr. Misc. No. 48517 of 2016 vide order dated 12.1.2017.

On the ground of parity, I am inclined to enlarge the petitioners, above named, on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa or the successor Court in connection with Saharsa P.S. Case No. 524 of 2016, subject to the condition that the petitioners will extend full cooperation in conclusion of the trial and will not, in any manner, influence the witnesses.

(Anil Kumar Upadhyay, J)

S.Pandey/-

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