

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42973 of 2018

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1. Shiva Hedel, S/o Krishna Hedel, R/o Vill. + P.S.- Sorda, District- Ganjan (Orissa).
2. Aula Gopal S/o Aula Anjanil, R/o Vill.- Purwacot, P.S.- Korai, District- Zazpur (Orissa), Both at Present Near Motipur Railway Station, P.S.- Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Jha

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-10-2018 The petitioners seek bail in connection with Deoria P.S. Case No. 90 of 2017, registered for offences punishable under Sections 399, 402, 414/34 of the Indian Penal Code.

Earlier prayer for bail of the petitioner was dismissed vide order dated 19.04.2018 passed by a coordinate Bench of this Court in Cr. Misc. No. 23387 of 2018, with direction to the trial court to expedite and the petitioners were granted liberty to renew their prayer for bail after six months.

Allegation is of recovery of one country made loaded pistol and one cartridge from petitioner no. 1 and recovery of one country made loaded pistol from petitioner no. 2

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case and petitioners have no criminal antecedent and have been in judicial custody since 14.12.2017.



Heard learned A.P.P. also.

Considering the aforementioned facts and circumstances, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000, (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Muzaffarpur, in connection with Deoria P.S. Case No. 90 of 2017, 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 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 reasons, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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