

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59221 of 2017

Arising Out of PS. Case No.-434 Year-2013 Thana- MAKHDUMPUR District- Jehanabad

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1. Mantu Kumar @ Manish Kumar Priyadarshi, S/o Anil Sharma,
2. Tutu Kumar @ Rajesh Kumar Ranjan S/o Mithilesh Sharma,
Both R/o Village- Dharaut, P.S.- Makhdumpur, District-
Jehanabad. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. SRI LALAN KUMAR

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 19-01-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in connection with Makhdumpur P. S. Case No. 434 of 2013 registered for the offences punishable under Sections 25(1-b)a, 26/35 of the Arms Act.

At the very outset, it has been submitted that in this case admittedly, no firearm was recovered from possession of the petitioners and the Police after completing investigation did not sent-up the petitioners for trial but learned C.J.M. after differing with the opinion of the Investigating Officer took cognizance against the petitioners also and as such the petitioners deserve sympathetic consideration. The final form submitted is annexure-2.



Learned APP faily submits that the petitioners were not sent-up for trial.

In the facts and circumstances stated above, the petitioners above named, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Makhdumpur P. S. Case No. 434 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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