

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17964 of 2018

Arising Out of PS.Case No. -358 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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1. Sanjay Kumar Choudhary,
2. Praveen Kumar Choudhary, Both Sons of Late Chandeshwar Choudhary,
R/o Village- Anandpur Morwa, P.S.- Tajpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari, Advocate

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 09-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

This is a case registered under Sections 25(1-A),
25(1-AA), 25(1-AAA), 25(1-B)(a) ,26, 35 of the Arms Act and
115,120B,399,402 of the Indian Penal Code.

It is submitted by the petitioners' counsel that on the
basis of statement made by co-accused Alok Kumar and Aman
Anand the recovery of AK 47 rifle from the temporary shed,
situated away from the petitioners' house has been made. It is
submitted that the petitioners' innocence is evident from the fact
that they have been arrested in the house at the time when
recovery was made as is evident from the FIR. It is also submitted
that the petitioners had no knowledge about the said recovery and
prior to the instant case there is no criminal antecedent of



petitioners and they have falsely been implicated in this case.

In the facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned **Sessions Judge, Samastipur** in connection with **Sessions Trial No. 38 of 2018 : 21 of 2018** arising out of **Tajpur P.S. Case No. 358 of 2017** subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioners who will give an affidavit giving genealogy as to how he is related with the Petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioners.
- (ii) That the Petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.
- (iii) The bail of the petitioners in the instant case shall be subject to verification of the criminal antecedent of the petitioners.

(Madhuresh Prasad, J)

Prakash/-

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