

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12992 of 2018

Arising Out of PS.Case No. -452 Year- 2017 Thana -MOTIPUR District- MUZAFFARPUR

- =====
1. Vijay Sahani
 2. Albendra Kumar @ Albindra Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-03-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in a case instituted for the offences under Sections-399, 402 of the IPC, Sections-25(1-b)a/25/35 of the Arms Act and 30(a)/38/41 of the Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that one country-made pistol each is alleged to have been recovered.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 09-12-2017 and have got no criminal antecedent. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioners. It is alleged that one country-made pistol each is alleged to have been recovered. There



is no compliance of Section 100 Cr.P.C. The other co-accused with similar allegation have already been granted bail by a coordinate bench of this court vide order dated 19-02-2018 in Cr. Misc. No. 9800 of 2018.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R/complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Motipur P.S. Case No. 452 of 2017. '

(Sudhir Singh, J)

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