

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32863 of 2018

Arising Out of PS.Case No. -153 Year- 2017 Thana -BALIA District- BEGUSARAI

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1. Rajesh Kumar Sharma, son of Vinod Prasad Sharma @ Vinod Kumar Sharma, R/o village-Puraniganj Mansari Tale, P.S.-Kasim Bazar, District-Munger.
 2. Raja Kumar, son of late Deepak Sharma, R/o Village-Maniya Chauraha, P.S.-Kasim Bazar, District-Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-06-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners, in the present case, are seeking regular bail in connection with Baliya P.S. Case No.153 of 2017, registered under Sections 25(1-B)a/ 25(i)a/26/1/2/3/35 of the Arms Act.

Learned counsel for the petitioners submits that earlier the prayer for bail of the petitioners was rejected vide order dated 11.01.2018 passed in Cr. Misc. No.63712 of 2017. However, after the said order was passed, some similarly situated accused persons namely Nand Kishor Sharma and Kanchan Singh have been granted privilege of regular bail by two different coordinate Benches of this Court vide order dated 19.04.2018 in



Cr.Misc.No.22305 of 2018 and order dated 30.04.2018 passed in Cr.Misc.No.25739 of 2018 respectively. Learned counsel submits that the petitioners have no criminal history and nothing incriminating was recovered from their possession, therefore, considering the facts and circumstances of the case whereunder similarly situated co-accused have been granted bail, the petitioners may also be considered to be enlarged on bail subject to the terms and conditions which may be imposed by this Court.

Learned A.P.P for the State is present.

Considering the facts and circumstances of the case whereunder vide Annexure-4 and 5 to the application two similarly situated accused persons have been granted regular bail by two different coordinate Benches of this Court and that the petitioners have no criminal history and they are in custody for about one year by now, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Begusarai, in connection with Baliya P.S. Case No. 153 of 2017, subject to the conditions U/S 437(3) Cr.P.C. as also that the petitioners shall cooperate in course of trial and two consecutive defaults of the petitioners to present themselves in course of trial on the date



fixed in the matter would lead to cancellation of their bail bonds.

(Rajeev Ranjan Prasad, J)

Arvind/-

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