

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63066 of 2018

Arising Out of PS.Case No. -5 Year- 2016 Thana -GARKHA District- SARAN

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1. Mukesh Patel @ Vishal Ji @ Vishal @ Rahul Ji, Son of Surendra Patel, resident of Village- Subhaigarh, Police Station- Runnisaidpur, District- Sitamarhi.

2. Amin Sahni, Son of Baidhnath Sahni, resident of Village- Badichak Dehi, Police Station- Maker, District- Saran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-10-2018 Heard learned counsel for the petitioners.

Petitioners pray for bail in connection with Garkha P.S.Case No. 05 of 2016 registered for the offences punishable under Sections 143, 144, 149, 120B, 414 of the Indian Penal Code and Sections 25(1-B)(a), 26, 35 of the Arms Act, including Section 17 of C.L.A. Act and other Sections of U.A.P. Act.

Petitioners are not named in the FIR and there is recovery of country-made pistol and other articles from other accused persons and names of petitioner transpired in the confessional statement of co-accused, which will appear from the impugned order.

Submission of learned counsel for the petitioners is that



petitioners are not named in the FIR and there is no recovery from their possession and though they are accused in two other cases but petitioner No.1 is in custody for the last three months and petitioner No.2 since 13.11.2017 and charge sheet has already been submitted.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, as stated above, this application is disposed of with a direction to learned court below to verify whether charge sheet has been submitted and if it is so, they may be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-XIV, Saran at Chapra, in connection with Garkha P.S.Case No. 05 of 2016, subject to the condition that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned.

(Vinod Kumar Sinha, J)

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