

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42565 of 2018

Arising Out of PS.Case No. -19 Year- 2018 Thana -SALKHUA District- SAHARSA

- =====
1. Amal Kumar, Son of Sachidanand Rai, resident of Village- Raghunathpur, Police Station- Sahebpur Kamal, District- Begusarai.
 2. Ranjeet Kumar @ Ranjit Yadav, Son of Late Jawahar Yadav, resident of Naya Tola, Baluaha, Police Station- Khagaria, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Kumar

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

- 2 19-07-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are in custody since 29.01.2018 in connection with Salakhua for the offence registered under Sections 399, 402 of the Indian Penal Code and Section 25 (1-B)a, 26 and 24 of the Arms Act.

Learned counsel for the petitioners submits that they have been falsely implicated in this case only because they were in the house of one Birju Ray and there was dispute between the family of the said Birju Ray and the petitioners. It is further submitted that the alleged recovery is not from conscious possession of the petitioner but from the house of said Birju Ray



and no independent witnesses have appended their signature to the seizure list. It is further submitted that under such circumstances, the petitioners have been implicated in connection with the present case.

Considering the aforesaid facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate –II, Saharsa in connection with Salkhua P.S. Case No. 19 of 2018, subject to the following conditions :-

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons his bail bonds shall be liable to be cancelled by the learned



Court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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