

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39356 of 2018

Arising Out of PS. Case No.-392 Year-2017 Thana- KHARAGPUR District- Munger

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1. Chhotu Yadav, Son of Late Binodi Yadav @ Bino Yadav, Resident of Banarasi Basa, P.S.- Kharagpur (Shampur), District- Munger.
 2. Gandhi Yadav, Son of Late Ayodhya Yadav, Resident of Naya Tola, Raghunathpur, P.S.- Kharagpur (Shampur), District- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha
For the Opposite Party/s : Mr. Md. Arif

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 09-07-2018 Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners, already in custody, seek bail in connection with Kharagpur P.S. Case No.392 of 2017 registered under Sections 399, 400 and 402 of the Indian Penal Code as well as under Sections 25(1-B)A, 26, 35 of the Arms Act.

Receiving secret information, the police reached at the spot and apprehended some miscreants alleged to have been making plan for committing dacoity and recovered firearm from some of them.

Learned counsel for the petitioners submits that none of the petitioners were neither apprehended at the spot nor any



material was recovered later on from their possession, petitioner no.1 is in custody since 28.02.2018 and petitioner no.2 is in custody since 03.03.2018 and petitioner no.1 has got clean antecedent; whereas petitioner no.2 has one criminal antecedent in which he is on bail.

Having considered the aforesaid facts and circumstances, petitioners, namely, Chhotu Yadav and Gandhi Yadav are directed to 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 Sessions Judge, Munger in connection with Kharagpur P.S. Case No.392 of 2017, giving rise to Sessions Trial No.104 of 2018.

(Arun Kumar, J)

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