

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22145 of 2019**

Arising Out of PS. Case No.-667 Year-2018 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. Phool Babu @ Tafée @ Md. Phool, Son of Md. Kalam, Resident of Mohalla- Haji Colony, Mithanpura Chowk, P.S.- Mithanpura, District- Muzaffarpur.
 2. Md. Chunnu, Son of Late Hadis, Resident of Mohalla- Mithanpura Chowk, P.S.- Mithanpura, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-04-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

Petitioners, who is in custody, seek bail in connection with Muzaffarpur Sadar P.S. Case No. 667 of 2018 registered for the offence punishable under Sections 414, 401/34 of the Indian Penal Code and Sections 25(1-b)A, 26 and 35 of the Arms Act.

Learned counsel for the petitioners has submitted that petitioners have no criminal antecedent. In the written report it is alleged that one country made pistol and two cartridges have been recovered from possession of petitioner no. 1 and one cartridge has been recovered from possession of petitioner no. 2.



Learned counsel for the petitioner has submitted that he is in custody since 30.08.2018. He has been made accused merely on suspicion and the aforesaid motorcycle which was seized by the police belongs to them. It has been further submitted that they have clean antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XIIIth, Muzaffarpur, in connection with Muzaffarpur Sadar P.S. Case No. 667 of 2018, subject to the conditions that:-

(i) Bailors should be close relative of the petitioners. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(ii) In the event of absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bonds.

(iii) In the event petitioners tamper with the evidence or intimidate the witnesses of the case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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