

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56709 of 2019

Arising Out of PS. Case No.-500 Year-2017 Thana- GARKHA District- Saran

1. SANDEEP OJHA Son of Anil Ojha @ Bhola Ojha Resident of Village-Parsa Mathura, Police Station-Parsa, District-Saran.
2. Sikari Ray @ Nand Kishore Yadav @ Stkari Ray Son of Ravindra Ray Resident of Village-Akhtiyarpur, Police Station-Garkha, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-09-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case instituted for the offences under Section 399, 402 of the Indian Penal Code, 25(1-b)a, 26, 35 of the Arms Act and 30(a) of Bihar Prohibition and Excise Act, 2016.

Prosecution case, in short, is that on secret informant while the police party were on duty, on seeing the police the accused persons started fleeing away but were apprehended.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 12.12.2018. Charge-sheet/prosecution report has been submitted in this case. There



is no allegation of tampering of witnesses alleged against the petitioners. The names of the petitioners have transpired on the basis of confession of co-accused. There is no recovery of any arms from the possession of the petitioners. The arms is recovered from the possession of co-accused namely Kundan Kumar.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District Judge-XI-cum- Special Court, Excise, Chapra in connection with Garkha P.S. Case No. 500/2017 (Tr. No. 84/19).

(Sudhir Singh, J)

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