

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63694 of 2019

Arising Out of PS. Case No.-161 Year-2019 Thana- BHAGWANPUR District- Vaishali

1. Mukesh Kumar (Male), aged about 25 years, S/o Suresh Sah, R/o Village- Chehra Kala @ Chehra Kalan, P.S.- Goraul (Katahra O.P.), District- Vaishali.
2. Rakesh Kumar @ Rakesh Sah (Male), aged about 26 years, S/o Machchhu Sah, R/o Village- Chehra Kala @ Chehra Kalan, P.S.- Goraul (Katahra O.P.), District- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Manish Chandra Gandhi, Advocate.
For the Opposite Party : Mr.Shyam Bihari Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-11-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case for the offence registered under Sections 419, 420, 467, 468, 471, 414 of the IPC and 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that the police arrested the petitioners and others and recovered one Mobile Phone and one Motorcycle from possession of the petitioners.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 04.07.2019. The petitioners have been made accused in the present case due to mistake of fact. Charge sheet has been



submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. One Mobile Phone and one Motorcycle are alleged to have been recovered from possession of the petitioners. No arms is alleged to have been recovered from possession of the petitioners. Arms were recovered from other co-accused. The petitioners had no knowledge that the Motorcycle in question is a stolen property.

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

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 the learned A.C.J.M.-IIIrd, Vaishali at Hajipur, in connection with Bhagwanpur P.S. Case No. 161 of 2019.

(Sudhir Singh, J)

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