

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73154 of 2019

Arising Out of PS. Case No.-274 Year-2019 Thana- BARAUNI District- Begusarai

-
1. Raja Kumar S/o Baleshwar Nishad, R/o village- Simariya Ghat Bind Toli, P.S.- Barauni (Chakiya), District- Begusarai.
 2. Azad Kumar S/o Jimdar Mahto, R/o village- Simariya Ghat Bind Toli, P.S.- Barauni (Chakiya), District- Begusarai.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Partys

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Barauni (Chakiya) P.S. Case No. 274 of 2019 registered for the offences punishable under Sections 25(1-b)a, 26 of the Arms Act.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case only because they had one case of their head earlier and that no looted article has been recovered from their possession. Petitioners are in custody since 25.06.2019.

Learned A.P.P. for the State has opposed the prayer for



regular bail.

Considering the facts and circumstances of the case, wherein these petitioners are said to have been arrested with loaded country made pistol and from possession of both the petitioners two live cartridges were also recovered but it is the contention of learned counsel for the petitioners that they have been falsely implicated in this case only because they had one case of their head earlier and that no looted article has been recovered from their possession as also that they are in custody for about six months, this Court directs that on completion of nine months of their custody the petitioners above named be released on bail in connection with Barauni (Chakiya) P.S. Case No. 274 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And considering the age of the petitioners, this Court further directs that one of the bailors for both the petitioners would be a family member having no criminal antecedent.

(Rajeev Ranjan Prasad, J)

vats/ved

U		T	
---	--	---	--

