

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5168 of 2020

Arising Out of PS. Case No.-503 Year-2019 Thana- SITAMARHI District- Sitamarhi

1. Prince Kumar @ Subham Kumar @ Totala Son of Ravi Shankar Sah @ Shankar Sah @ Shiv Shankar Sah @ Shankar Raut Resident of Village - Basaha, P.S.- Bajpatti, Distt.- Sitamarhi.
2. Shiv Shankar Raut @ Shankar Raut Son of Umesh Raut @ Umesh Sah Resident of Village - Basaha, P.S.- Bajpatti, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-05-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in a case registered under Section 414
of the Indian Penal Cod and 25(1-b)a, 26(ii) and 35 of the Arms
Act. .

Allegedly, country-made pistol, live cartridges, laptop and
mobiles are said to have been recovered in this case.

It has been submitted on behalf of the petitioners that there is no
allegation of tampering of witnesses alleged against the petitioners.



The petitioner Nos. 1 and 2 are in custody since 26-10-2019 and 07-09-2019 respectively. Charge sheet has already been submitted. The petitioners have been falsely implicated in the present case. The names of the petitioners have transpired on the disclosure made by the co-accused, Indrajeet Kumar. Neither any arms and ammunition nor any stolen property is said to have been recovered from possession of the petitioners. Arms is said to have been recovered from possession of co-accused Indrajeet Kumar.

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

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, are directed to be released on bail on their personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Sitamarhi in connection with Sitamarhi P.S. Case No. 503 of 2019.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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