

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16124 of 2020

Arising Out of PS. Case No.-275 Year-2019 Thana- BARHARA KOTHI District- Purnia

1. SANOJ KUMAR S/o Maheshwari Sah Resident of Village- Rajganj, P.S.- Bihariganj, Distt- Madhepura.
2. Rupesh Kumar @ Rupesh Kumar Sah S/o Musharu Sah @ Binod Sah Resident of Village- Rajganj, P.S.- Bihariganj, Distt- Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 02-06-2020

Heard learned counsel for the parties.

This application for grant of regular bail arises out of Barhara P.S. Case No. 275 of 2019 registered for the offence punishable under Section 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 34 of the Arms Act.

The petitioners are in custody since 30.12.2019. The Officer-in-Charge of Police Station Barhara is the informant, who has alleged that a police party, led by him, had seen three persons fleeing away after noticing the presence of the said police party. They were chased and finally apprehended by the police. According to the First Information Report, on search, from the possession of petitioner No.2 one country made pistol loaded with one live cartridge was recovered. From the



possession of petitioner No.1, one live cartridge was recovered.

It is the petitioners' case that they have been falsely implicated and in any view of the matter, they have remained in custody for considerably long period, though there is no allegation of use of firearms.

Considering the facts and circumstances, as disclosed in the First Information Report, this application is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea, in Barhara P.S. Case No. 275 of 2019.

(Chakradhari Sharan Singh, J)

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