

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19112 of 2020

Arising Out of PS. Case No.-281 Year-2019 Thana- RAJNAGAR District- Madhubani

1. Durgesh Mandal Son of Upendra Mandal Resident of Village - Dayalpali, P.S.- Khajauli, District- Madhubani
2. Mani Nath Mishra @ Mani Mishra Son of Jay Nath Mishra Resident of Village - Haripur Mazrahi, P.S.- Kaluahi, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance

For the Petitioner : Ms. Kusum Rani, Advocate

For the State : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-06-2020 Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioners who are in custody since 11.10.2019 have filed the instant application for grant of regular bail in connection with Rajnagar P.S. Case no. 281 of 2019 registered under sections 399 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per allegation in the FIR, secret information was received that the accused persons are gathering with intention to commit dacoity. The informant along with other police personnel reached the place of occurrence. The accused persons made to an attempt to escape but three of them including the two petitioners herein were caught and taken into custody. It is further stated that on search a loaded country made revolver was recovered from both the petitioners.

It is submitted by learned counsel for the petitioners that the allegations of recovery of arms and cartridges from their



possession are entirely false. They were arrested by the police from their house when they were sleeping and have been implicated in the case. The petitioners are in custody since 11.10.2019.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioners being in custody since 11.10.2019, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Rajnagar P.S. Case no. 281 of 2019 CRI Case no.1884/19 on each of them furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, Madhubani.

(Partha Sarthy, J)

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