

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27782 of 2020

Arising Out of PS. Case No.-98 Year-2020 Thana- BARH District- Patna

-
1. NILESH KUMAR S/o Vinay Singh Resident of Talsharma, P.S.-Birupur, District-Lakhisarai.
 2. Rohit Kumar S/o Shiv Mahto Resident of Talsharma, P.S.-Birupur, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajanan Mishra

For the Opposite Party/s : Mr. S. M. Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-11-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor representing the State, through Video Conferencing.

The petitioners seek regular bail in connection with Special Case No. 41 of 2020, arising out of Barh Police Station Case No. 98 of 2020, registered for the offences punishable under Sections 399/402/414 of the Indian Penal Code, Sections 25 (1-b)a/26/35 of the Arms Act and Sections 20/22 of the N.D.P.S. Act.

The prosecution case, as per the First Information Report, is that the police, on the basis of secret information, proceeded towards the place of occurrence and recovered some



arms and ammunition and one kilogram of ganja kept under a tree in a mango orchard.

Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have got no criminal antecedent. He further submits that from perusal of the First Information Report, it would be evident that neither any incriminating material nor any arms or ammunition have been recovered from the possession of the petitioners. He further submits that co-accused, from whose possession, fire arms has been recovered, has been granted bail by this Court, vide order, dated 29.09.2020, passed in Criminal Misc. No. 25370 of 2020. He further submits that the petitioners are in custody since 04.03.2020.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the petitioners have got no criminal antecedent and they are in custody since 04.03.2020, I am inclined to grant bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



learned 7th Additional Sessions Judge, Patna, in connection with Special Case No. 41 of 2020, arising out of Barh Police Station Case No. 98 of 2020.

It is further made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

