

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13209 of 2021

Arising Out of PS. Case No.-50 Year-2020 Thana- BARIYARPUR District- Munger

1. SITA RAM KUMAR Son of Jaichand Manjhi Resident of Village- Ganeshpur Mushari, P.O. and P.S.- Bariarpur, District- Munger.
2. Ravish Manjhi Son of Late Umesh Manjhi Resident of Village- Ganeshpur Mushari, P.O. and P.S.- Bariarpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-07-2021 In view of sudden resurgence of COVID-19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

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

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in Bariarpur PS Case No. 50 of 2020, registered under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26(i)/35 of Arms Act.



From petitioner no. 1 there is alleged recovery of one cartridge and Rs. 300/- and from petitioner no. 2 there is recovery of one cartridge and Rs. 600/-.

Learned counsel for the petitioners submits that the fact that only cartridge has been recovered is clear indication of the same being planted. Recovery is not in accordance with law. Petitioners are in custody since 03.06.2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. II, Munger in Bariarpur PS Case No. 50 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their



bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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