

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15248 of 2021**

Arising Out of PS. Case No.-300 Year-2020 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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1. Alok Raj Son Of Saroj Kumar Misra Resident Of Village - Itha, P.S.- Sakara, Distt.- Muzaffarpur.
 2. Saurabh Kumar Pathak Son Of Late Randhir Pathak Resident Of Village - Shirpur, P.S.- Sadar, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 07-10-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in connection with Kaji Mohamadpur P.S. Case No. 300 of 2020 registered for the offence punishable under Sections 399, 402, 414 of the Indian Penal Code and Section 25 (I-b) of the Arms Act.

Acting on a tip of secret information that some miscreants



are gathered in the house of one *Sumit Kumar* and are preparing to commit some crime, when informant with other police personnel reached at the place of occurrence. On seeing them all miscreants tried to fled away but petitioners were caught by the informant. One magazine of country made pistol, two stolen motorcycles were recovered from the possession of the petitioners.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that nothing incriminating has been recovered from the possession of the petitioners and petitioners have no concern with the seized articles and motorcycles. The petitioners are tenants in the house of *Sumit Kumar* and they are living there for the purpose of study and competition. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The petitioners have no criminal antecedent as has been mentioned in para 3 of this bail application and they are languishing in custody since 26.10.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail, on furnishing bail



bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor Court in connection with Kaji Mohamadpur P.S. Case No. 300 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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