

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12578 of 2021

Arising Out of PS. Case No.-218 Year-2018 Thana- KURSAILA District- Katihar

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1. Vijay Mahto @ Bijay Mahto Son of Late Nepali Mahto Resident of Village - Gobarahi, P.S.- Kursela, Distt.- Katihar.
 2. Kariman Mahto Son of Bindeshwari mahto Resident of Village - Gobarahi, P.S.- Kursela, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Adv.
For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 09-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred the instant application for grant of regular bail in a case registered under sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per allegations in the F.I.R., various arms and ammunition as mentioned in the F.I.R. were recovered from the possession of the two petitioners.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from their possession. They have been falsely implicated in the case because of their antecedents. They are in custody since 28.11.2018 and there is no progress in the case in the learned



Court below.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the report with respect to the stage of the case according to which the case is at the stage of prosecution evidence, no witness having been examined on behalf of the prosecution together with the petitioners having remained in custody for 2 years 10 months, this Court directs the petitioners to be enlarged on bail in connection with Kursaila P.S. Case no.218 of 2018 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar/successor Court.

(Partha Sarthy, J)

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