

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24892 of 2021

Arising Out of PS. Case No.-295 Year-2020 Thana- KHUSRUPUR District- Patna

1. MD. SHAKIL Son of Md Ayub Resident of Hazrat Ganj Khanka, Ward No. 39, P.S. - Kasim Bazar, Distt.- Munger.
2. Md. Sonu Son of Late Md. Aslam Resident of Hazrat Ganj Khanka, Gali No. 15, P.S. - Kasim Bazar, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-07-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek bail in a case registered for the offence punishable under sections 120B/34 of the Indian Penal Code and sections 25/26/35 of the Arms Act.

As per the prosecution case, on secret information raid was conducted in the godown of Amrik Singh and Madhusudan Singh who were owner of the godown and seized half finished country made pistols and four persons including the petitioners were arrested while trying to flee away.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case as they are not the owner of the godown. Petitioners are simply labourer and have got clean antecedent. Petitioners are in custody since 8.9.2020. Investigation is complete.



Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioners, let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1, Patna city in Khusharupur Police Station Case No. 295 of 2020 on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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