

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33266 of 2021

Arising Out of PS. Case No.-166 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

1. DEEPAK KUMAR
2. Prakash Kumar
Both are sons of Dinesh Rai, Residents of Village - Daulatpur, P.S.- Hajipur Sadar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv.

For the Opposite Party/s : Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-12-2021 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 399 and 402 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, it is stated that on information having been received that the accused persons had gathered and were planning to give effect to an occurrence, a raid was conducted. The accused including the two petitioners herein were arrested and various incriminating articles were



recovered.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case under a misunderstanding. From perusal of the F.I.R., it would transpire that no incriminating article has been recovered from their possession. They are in custody since 20.2.2021 and have no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioners having remained in custody for about 10 months, the Court directs the two petitioners to be enlarged on bail in connection with CNR no.BRVA010018842021 (arising out of Hajipur Sadar P.S. Case no.166 of 2021) 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 Additional Sessions Judge II-cum-Excise Court, Hajipur at Vaishali.

(Partha Sarthy, J)

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