

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39046 of 2021

Arising Out of PS. Case No.-387 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

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1. SHANKAR RAI Son of Mahendra Rai @ Mahendra Ray Resident of Village - Pirakhpur (Peerakhpur), P.S.- Bochahan (Bochaha), Dist.- Muzaffarpur.
 2. Ranjeet Rai Son of Late Lalbabu Rai Resident of Village - Pirakhpur (Peerakhpur), P.S.- Bochahan (Bochaha), Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 22-12-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in a case registered under Sections-399, 402, 414 of the Indian Penal Code and Sections- 25(1-b)a, 26/35 of the Arms Act.

Allegedly, one country made pistol is recovered in this case.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The arms is said to have been recovered from possession of co-accused. There is no recovery of arms from



possession of the petitioners. The names of the petitioners have transpired in this case on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. There is no compliance of Section 100 of the Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-14th, Muzaffarpur (East) in connection with Bochahan (Bochaha) P.S. Case No. 387 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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