

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3790 of 2021

Arising Out of PS. Case No.-134 Year-2020 Thana- BHAWANIPUR District- Purnia

1. Najo Kumar, aged about 21 years, Male, Son of Sri Shashidhar Mandal
2. Rakesh Kumar, aged about 19 years, Male, Son of Sri Dularchand Mandal, both resident of Village - Harihar Tola Chhoti Narthua, P.S. - Alamnagar, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate
For the State : Mr.Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-03-2021 Learned counsel for the petitioners has filed supplementary affidavit. Let it be kept on record.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek bail in connection with Bhawanipur P.S. Case No. 134 of 2020 registered for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act.

The prosecution case in brief is that one Sujit Kumar, the officer-in-charge of Bhawanipur police station gave a written statement before the Bhawanipur police station. It has been alleged that on 04.07.2020, during the course of patrolling, they saw four persons sit on two motorcycles inside of the road, he further stated that he reached near the petitioners then the petitioners and other co-accused persons fled away, then the police party chased to the miscreants and caught both the



petitioners. It is further stated that when the informant searched the motorcycles then he found two pistol and two cartridges from passion pro motorcycle.

Learned counsel for the petitioners submits that there is no recovery from the conscious possession of the petitioner rather motorcycle has been recovered. Learned counsel for the petitioners further submits that the said motorcycle does not belong to the petitioners. Learned counsel for the petitioners further submits that the petitioners have no criminal antecedent. Learned counsel for the petitioners further submits that the petitioners are in jail custody for more than six months, i.e. on 06.07.2020.

Learned A.P.P. 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/- (twenty five thousand) each only with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Magistrate, Purnea in connection with Bhawanipur P.S. Case No. 134 of 2020.

(Anjani Kumar Sharan, J)

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