

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1434 of 2021

Arising Out of PS. Case No.-119 Year-2020 Thana- AGION (GARHANI) District- Bhojpur

1. INDRAJEET KUMAR Son of Lalbabu Singh Resident of Village - Chapra Tola, P.S.- Charpokhari, District - Bhojpur.
2. Mollan Singh Son of Late Lal Ji Singh Resident of Village - Semrav (Simrav), P.S.- Charpokhari, District - Bhojpur

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-03-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners seek bail in a case registered for the offence punishable under Section 25 (1-b)a, 26 & 35 of the Arms Act.

While the informant was on patrolling duty, three persons on one motorcycle came there and after seeing the police party they tried to escape but any how were apprehended and on search one country made pistol from the possession of



petitioner no.1 and one live cartridge from the possession of petitioner no.2 is said to have been recovered.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They are quite innocent and have been falsely implicated in this case by the police merely on suspicion. No incriminating article has been recovered from their conscious physical possession rather the alleged recovered pistol and cartridge were planted by the police due to ulterior motive. The allegation levelled against the petitioners are not specific rather general and omnibus in nature. The petitioners have no criminal antecedent and have been languishing in custody since 27.08.2020.

Learned APP 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/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Bhojpur in connection with Agiaon (Garhani) P.S. Case No.119 of 2020.

(Anjani Kumar Sharan, J)

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