

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6758 of 2021

Arising Out of PS. Case No.-354 Year-2020 Thana- SITAMARHI District- Sitamarhi

1. NANDAN JHA @ NANDAN KUMAR @NANDAN KUMAR JHA Son of Surendra Jha Resident of Village - Baghari, Ward No.13, P.S.- Runnisaidpur, Distt.- Sitamarhi- 843323
2. Kundan Jha @ Kundan Kumar @ Kundan Kumar Son of Surendra Jha Resident of Village - Baghari, Ward No.13, P.S.- Runnisaidpur, Distt.- Sitamarhi- 843323

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-06-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through video conferencing.

The petitioners have filed the instant application for grant of regular bail in connection with Sitamarhi P.S. Case no. 354/2020 registered under sections 413, 414 and 34 of the Indian Penal Code and sections 25(1-B)(a), 26, 27 and 35 of the Arms Act.

As per the allegation in the first information report, on the Mahindra pickup vehicle being signaled to stop, it is stated that the accused persons made an attempt to escape but were caught. A loaded country-made pistol and a live cartridge was recovered from the possession of the petitioner no.1 and they disclosed that the articles in the pickup van had been stolen by them.



It is submitted by learned counsel for the petitioners that the allegations as levelled in the FIR are false and concocted. No incriminating article has been recovered from their possession. The petitioners have been falsely implicated in the case. They are in custody since 13.7.2020.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Case diary along with report with respect to the antecedent of the petitioner was called for and the same have been received.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioners having remained in custody since 13.7.2020, the Court is inclined to enlarge the petitioners on bail. The petitioners are directed to be enlarged on bail in connection with Sitamarhi P.S. Case no. 354/2020 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 Chief Judicial Magistrate, Sitamarhi.

(Partha Sarthy, J)

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