

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7610 of 2021

Arising Out of PS. Case No.-349 Year-2020 Thana- MOTIHARI TOWN District- East
Champaran

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1. SACHIN KUMAR @ RAJIV RANJAN @ RAJIV RANJAN SINGH SON OF ARUN SINGH R/O MOHALLA- BELBANWA WARD NO. 22, P.S.- MOTIHARI TOWN, DIST.- EAST CHAMPARAN
 2. PUTTU KUMAR SON OF LALAN PRASAD KESHARI RESIDENT OF MOHALLA - GANDHI NAGAR, P.S.- MOTIHARI TOWN, DIST.- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.
For the Opposite Party/s : Mrs Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-06-2021 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual court proceeding.

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 connection with Town P.S. Case No.349 of 2020 registered for the offence punishable under Sections 399, 402 of the Indian Penal Code and section 25(1-B), A, 26, 35 of the Arms Act.



As per the prosecution case, on the basis of secret information that in the house of one Sachin Kumar, some miscreants are planning to commit some occurrence, police raided the house and on search four persons were apprehended. On search one pistol, three cartridges and mobile phone was recovered from the possession of petitioner no.1 and one Nepalese “Khukari” and mobile phone was recovered from the possession of petitioner no.2.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence as alleged in the FIR. They have been falsely implicated in this case due to police mechanism and highhandedness. No such occurrence as alleged ever took place. No incriminating article has been recovered from their conscious physical possession. There is no overt act against them. The petitioners have no criminal antecedent as per para-3 of the petition and have been languishing in custody since 19.06.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid and the period of custody, the above named petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Town P.S. Case No.349 of 2020.

However, the learned court below is directed to verify the criminal antecedent of the petitioners before accepting the bail bonds.

(Anjani Kumar Sharan, J)

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