

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38841 of 2021

Arising Out of PS. Case No.-275 Year-2020 Thana- PIPRA District- East Champaran

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1. RAM KUMAR TIWARI Son of Late Nandu Tiwari
 2. Santosh Tiwari Son of Ram Kumar Tiwari
- Both resident of Village - Jaihingra, P.S.- Pipra, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.

Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 399 and 402 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 20 and 22 of the N.D.P.S. Act.

As per the prosecution case, on information having been received about the accused persons having gathered to give effect to an occurrence, a raid was conducted and various articles including 1 kg charas, arms and ammunitions were recovered from different accused persons. From possession of the petitioner no.1, a loaded pistol and one live cartridge and from the possession of the petitioner no.2, a loaded pistol and



two live cartridges were recovered.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case. No incriminating article has been recovered from their possession. They are in custody since 12.8.2020 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioners having remained in custody for 1 year 5 months, the Court directs the two petitioners to be enlarged on bail in connection with N.D.P.S. Case no.28 of 2020 (arising out of Pipra P.S. Case no.275 of 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 Sessions Judge-cum-Special Judge, East Champaran at Motihari.

(Partha Sarthy, J)

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