

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58472 of 2021

Arising Out of PS. Case No.-146 Year-2021 Thana- LAKHISARAI District- Lakhisarai

1. AJIT SARKAR @ AJIT KUMAR S/o NABDIP SARKAR R/o VILLAGE-SAGUNA, P.S-KALYANI, DISTRICT-NADIYA (WEST BENGAL).
2. SAPN MANDAL S/o LATE JUGESH MANDAL R/o VILLAGE-ANAND NAGAR, P.S-KALYANI, DISTRICT-NADIYA (WEST BENGAL).

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-03-2022 Heard learned counsel for the petitioners and Mr. Ram Sevak Choudhary, learned A.P.P. for the State.

The petitioners seek bail in connection with Kawaiya P.S. Case No. 146 of 2021 instituted for the offences under Sections 25(1-b)/26(i)(ii)/35 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is in custody since 06.03.2021 are persons with clean antecedent, charge-sheet has been submitted in the case and allegation is of recovery of two countrymade pistol, a magazine, six cartridges and one mobile from the petitioner no. 1 (Ajit Sarkar @ Ajit Kumar) and two countrymade pistol and cartridges from the petitioner no. 2 (Sapan Mandal).



Learned counsel for the petitioners submits that petitioners have been falsely implicated in the case. The real culprits after seeing the police fled away and the petitioners, who were passing the area came to be implicated and are persons with clean antecedents.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the fact that the petitioners are in custody since 06.03.2021, are persons with clean antecedent and charge-sheet has been submitted in the case, let the petitioners above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai Kawaiya P.S. Case No. 146 of 2021, subject to the condition that one of the bailor of petitioner no. 1 shall be his wife, namely, Pael Halder and one of the bailor of petitioner no. 2 shall be his wife.

(Satyavrat Verma, J)

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