

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70908 of 2021

Arising Out of PS. Case No.-697 Year-2021 Thana- SITAMARHI District- Sitamarhi

1. Dharmendra Kumar Son of Yogendra Das Resident of Village - Balua, Ward no.3, P.S.- Dumra, Distt.- Sitamarhi.
2. Rajgir Kumar Son of Devendra Singh Resident of Village - Balua, Ward no.3, P.S.- Dumra, Distt.- Sitamarhi.

... .. 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. Md. Anbzarul Haque Sahara, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Sitamarhi P.S. Case No. 697 of 2021 registered under Sections 399, 402, 414 of the Indian Penal Code read with Sections 25(1-b)A, 26 and 35 of the Arms Act.

The learned counsel for the petitioners submits that the petitioners are in custody since 02.09.2021, charge-sheet has been submitted in the case, have antecedent of two cases and the informant alleges that out of five, three accused persons were apprehended and from petitioner no. 1 one live cartridge along with a mobile is alleged to have been recovered and from petitioner no. 2 one country made pistol and a mobile was



recovered, further the apprehended accused disclosed the name of the accused who fled as Kanhai and Suraj and further disclosed that they had demanded extortion of Rs. 5,00,000/- from Rakesh Kumar and Rs. 70,00,000/- from Amit Kumar and had assembled for further occurrence.

The learned counsel for the petitioner submits that as per as petitioner no. 1 is concerned against him it is alleged that only one live cartridge was recovered and cartridge without gun is useless and, as per as petitioner no. 2 is concerned it is alleged that a country made pistol along with mobile was recovered, as such, the thrust of the allegation hinges around Arms Act.

The learned A.P.P. for the State opposes the prayer for bail of the petitioners.

Considering the fact that the petitioners are in custody since 02.09.2021, charge-sheet has been submitted in the case and in the nature of allegation, the petitioners above named are directed to be released 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 court below where the case is pending/successor court in connection with Sitamarhi P.S. Case No. 697 of 2021 with a condition that one of the bailors of the petitioners shall be their respective



father.

Further, if the learned court below comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned court below shall, forthwith, cancel his bail bond after recording reason.

(Satyavrat Verma, J)

ved/-

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