

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72247 of 2021

Arising Out of PS. Case No.-549 Year-2021 Thana- KANTI District- Muzaffarpur

1. SURAJ KUMAR Son of Jagdev Sah @ Jagandev Sah Resident of Village - Harpur Boksh, P.S.- Minapur, Distt.- Muzaffarpur.
2. GUDDU KUMAR Son of Raju Ray Resident of Village - Harpur Boksh, P.S.- Minapur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udbhav, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-06-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under section 401 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, on receiving information that the accused persons were going to commit an offence, it is stated that checking was started. The four accused persons on motorcycle made an attempt to escape but were caught. It is stated that a loaded country made pistol with a live cartridge was recovered from the possession of the petitioner no. 1 and



another loaded country made pistol was recovered from possession of co-accused Md. Saddam Hussain.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the possession of petitioner no. 1. Even as per the FIR no recovery is said to have been made from petitioner no. 2. The petitioners are in custody since 27.8.2021 and have no criminal antecedent. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the petitioners having remained in custody for more than 9 months, having no criminal antecedent and charge sheet having been submitted in the case, the Court directs the above two petitioners to be enlarged on bail in connection with Kanti P.S. Case no. 549 of 2021 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 Additional Chief Judicial Magistrate II, Muzaffarpur (West), District Muzaffarpur.

Prakash/-

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(Partha Sarthy, J)

