

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.170 of 2022

Arising Out of PS. Case No.-440 Year-2021 Thana- PURNEA SADAR District- Purnia

1. ABHINANDAN MAHALDAR S/o Birendar Mahaldar Resident of Village- Gadhiya Balua, Ward No. 3, P.S.- K. Nagar, District- Purnea.
2. Dinesh Mahaldar S/o Late Kamlesri Prasad Mahaldar Resident of Village- Hanuman Nagar Banmankhi, P.S.- Banmankhi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-06-2022 Heard learned counsel for the parties.

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 and sections 25(1-B) (a), 26 and 35 of the Arms Act.

As per the prosecution case, on a secret information having been received about the accused persons planning to give effect to an occurrence, it is stated that a raid was conducted. A loaded country made pistol and two live cartridges were recovered from the possession of petitioner no.1 while a loaded country made pistol and three live cartridges were recovered from the possession of petitioner no.2.



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 1.9.2021 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 nature of allegation together with the petitioners having remained in custody for 9 months and investigation in the case having concluded, the Court directs both the petitioners to be enlarged on bail in connection with Sadar P.S. Case no.440 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 Chief Judicial Magistrate, Purnea.

(Partha Sarthy, J)

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