

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20787 of 2023

Arising Out of PS. Case No.-460 Year-2022 Thana- GAYA RAIL P.S. District- Gaya

1. BANTY KUMAR @ BANTY RIDER SON OF LATE MANISH MANJHI
RESIDENT OF VILLAGE – ANDAR BAIRAGI, P.S. - DELHA, DISTT. -
GAYA
2. SUMIT KUMAR @ BUDHA SON OF SHARWAN PRASAD RESIDENT
OF VILLAGE - CHHOTAKI NAWADA, P.S. - DELHA, DISTT. - GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-05-2023

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Gaya Rail P.S. Case no.460 of 2022 registered under sections 399 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, on seeing the police personnel, the accused persons made an attempt to escape, however, the petitioners were caught. From possession of Banty Kumar, a loaded country made *katta* besides other articles were recovered.

4. Learned counsel for the petitioners submits that



no incriminating article has been recovered from possession of the petitioners. The petitioners have been falsely implicated in the case for oblique reasons. The petitioners are in custody since 30.11.2022 and having no criminal antecedent.

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

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioners, their not having any criminal antecedent and being in custody for 5 months since 30.11.2022 and submission of chargesheet, the Court directs both the petitioners to be enlarged on bail in connection with Gaya Rail P.S. Case no.460 of 2022 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 Railway Judicial Magistrate, Gaya.

(Partha Sarthy, J)

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