

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41171 of 2023

Arising Out of PS. Case No.-51 Year-2023 Thana- BENIPATTI District- Madhubani

1. Kishan Kumar Jha @ Krishna S/O Shravan Jha R/O Village- Bankatta, Ward No. 8, P.S. Benipatti, District Madhubani
2. Roshan Kumar Jha @ Raushan Kumar Jha @ Nikku S/O Shiv Shankar Jha @ Madhav R/O Village- Bankatta, Ward No. 8, P.S. Benipatti, District Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a, 26, 35 of Arms Act.

According to the FIR, prosecution case relates to recovery of one country made pistol including a live cartridge from possession of petitioner no.1 and one mobile phone from petitioner no.2. Accordingly, the present FIR has been lodged.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They has falsely been implicated in this case due to ulterior motive



The petitioners have no concern with the alleged arms which were seized by the police. It is further submitted that both the petitioners are languishing in judicial custody since 11.3.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge the them on bail. The above named petitioners are directed to be released on bail in connection with Benipatti P.S. Case No. 51 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Benipatti, Madhubani.

(Sunil Kumar Panwar, J)

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