

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66455 of 2023

Arising Out of PS. Case No.-123 Year-2023 Thana- PUPRI District- Sitamarhi

1. Manish Mishra Son Of Ramesh Mishra Resident Of Village- Bakhra, Ps- Saraiya, Distt- Muzaffarpur
2. Akshay Mishra @ Akshay Pandey Son Of Pramod Pandey Resident Of Village- Bakhra, Ps- Saraiya, Distt- Muzaffarpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
	:	Mr. Raju Kumar, Advocate
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-10-2023

1. Heard learned counsel for the parties.

2. The petitioners have filed the instant application for grant of regular bail in connection with Pupri P.S. Case no. 123 of 2023 registered under sections 399, 402 and 120B of the Indian Penal Code and sections 25(1B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, on information having been received about the accused persons planning to give effect to an occurrence it is stated that a raid was conducted and three accused persons including the two petitioners herein were caught. On search a country-made pistol was recovered from the possession of the co-accused Ranjan Mishra. So far as the two petitioners herein are concerned, a live cartridge each was



recovered from their possession.

4.It is submitted by learned senior counsel for the petitioners that the allegation as levelled in the F.I.R. are false and concocted. No incriminating article has been recovered from their possession. They have been falsely implicated in this case because of their antecedent. They are in custody since 26.3.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the petitioners being in custody since 26.3.2023 and charge-sheet having been submitted in the case, the Court directs the petitioners to be enlarged on bail in connection with Pupri P.S. Case no. 123 of 2023 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 S.D.J.M., Sitamarhi.

(Partha Sarthy, J)

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