

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64209 of 2023

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

1. CHANDAN TIWARI SON OF SURENDRA TIWARY RESIDENT OF VILLAGE- BAKHARA, PS- SARAIYA, DISTT- MUZAFFARPUR
2. MEHUL TIWARY @ MEHUL KUMAR SON OF CHANDAN TIWARY RESIDENT OF VILLAGE- BAKHARA, PS- SARAIYA, DISTT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-10-2023

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

3. As per the prosecution case, on an information having been received by the informant, it is stated that a raid was conducted. While three accused persons were caught and various incriminating articles recovered from their possession, it is stated that the two petitioners herein were named as the accused who managed to escape.



4. It is submitted by learned counsel for the petitioners that neither the petitioners were arrested at the spot nor any incriminating article recovered from their possession. They are in custody since 4.4.2023 and chargesheet 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 FIR, the petitioners not having been arrested at the spot, no incriminating article having been recovered from their possession together with the petitioners having remained in custody since 4.4.2023 and chargesheet 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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