

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72800 of 2023

Arising Out of PS. Case No.-283 Year-2022 Thana- JAKKANPUR District- Patna

1. BAJRANG KUMAR SARRAF S/O-SHRI RAM SARRAF R/O VILLAGE-NATH NAGAR, NATHNAGAR, DISTRICT- BHAGALPUR
2. ADITYA KUMAR @ ADITYA KUMAR SARRAF SON OF BAJRANGI SARRAF R/o vill - Nath Nagar, P.S. - Nathnagar, Distt. - Bhagalpur, At Present old Priya Hotel 2 Floor Bakarganj Shiv Mandir, Distt. - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 03-11-2023 Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

2. The petitioners are seeking regular bail in connection with Jakkanpur P.S. Case No. 283 of 2022, registered for offence punishable under Section 414 of the Indian Penal Code and 25(1-b)a/25(1)(a)(aa)/26(1)(2)/35 of the Arms Act, but now it is pending in the court of learned Additional Chief Judicial Magistrate-VIII, Patna for the offence under section 25(1-b) only.

3. The learned counsel for the petitioners has submitted that though the regular bail petition of the petitioners was earlier rejected by this Court, vide order dated 15.05.2023 in Cr. Misc. No. 6249 of 2023, but the fresh ground for filing the present bail petition is that a petition under Section 227 of the Code of



Criminal Procedure was filed by the petitioners before the trial court, that was allowed and no case under Section 26(1) of the Arms Act was found against the petitioners, as only two cartridges were recovered and the case was remanded back to the learned Magistrate for trial. He has submitted further that the petitioners remained under custody for one and half years.

4. Considering the fact that no sessions trial sections are attracted, as per the order of the learned Sessions Judge, in this case, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-VIII, Patna in connection with Jakkanpur P.S. Case No. 283 of 2022, subject to the following conditions:-

- (i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.
- (ii) If the petitioners are found involved in future in the similar type of offence, their bail bonds shall be liable to be cancelled.

(Nawneet Kumar Pandey, J)

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