

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76863 of 2023

Arising Out of PS. Case No.-292 Year-2023 Thana- SAHARSA SADAR District- Saharsa

1. Md. Guljar Son Of Md. Tinkauri R/O Fakir Tola, Ward No. 16/19, P.S. - Saharsa, Distt. - Saharsa
2. Md. Jakir Son Of Md. Juber R/O Fakir Tola, Ward No. 19, P.S. - Saharsa, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Saharsa Sadar P.S. Case No. 292 of 2023 registered under sections 399 and 402 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

Prosecution case relates to recovery of one cartridge from the possession of the petitioner No.1 and one cartridge from the possession of petitioner No.2 along with mobile phone. Further, from the possession of other co-accused persons , there has been recovery of country made pistol along with live cartridge and mobile phones.



Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. One live cartridge was recovered from the possession of each of the petitioner which is of no use without any arms. Moreover, the petitioners are languishing in judicial custody since 13.05.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Saharsa Sadar P.S. Case No. 292 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 Chief Judicial Magistrate, Saharsa.

(Sunil Kumar Panwar, J)

shubham/-

U		T	
---	--	---	--

