

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4487 of 2024

Arising Out of PS. Case No.-545 Year-2023 Thana- MADHUBAN District- East Champaran

1. Jayshiv Kumar S/o- Ramdev Prasad Resident of village Mahauta, P.S.- Madhuban, Distt.- East Champaran (Motihari)
2. Lal Bau Kumar Sahni @ Lal Babu Sahni S/O- Jiyalal Sahni R/O vill.- Bajitpur Maniyapar, P.S.- Madhuban, Distt.- East Champaran (Motihari)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Madhuban P.S. Case No. 545 of 2023 registered under sections 399, 402, 413 and 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

Prosecution case in short, is that, on the basis of information, police team reached at the place of occurrence where all the accused persons including these petitioners were making planning to commit crime, in the meantime, police team apprehended some accused persons along with petitioner No.1 and petitioner No.2 managed to flee from the place of



occurrence. After search, country made pistols along with live cartridges, mobile phones, motorcycles and cash of Rs. 1,06,000/- from the possession other co-accused persons.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The recovery of country made pistols along with live cartridges was found from the possession of other co-accused persons. They have no concern with the alleged occurrence. One mobile was recovered from the possession of petitioner No.1 which is not the looted article. Moreover, they are languishing in judicial custody since 30.10.2023 and 01.11.2023 respectively.

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 Madhuban P.S. Case No. 545 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 C.J.M., East
Champan, Motihari.

(Sunil Kumar Panwar, J)

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