

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7000 of 2024**

Arising Out of PS. Case No.-113 Year-2023 Thana- BANGARA District- Samastipur

Ratnesh Sah son of Sudhir Sah, R/O Village-Mahisaur, PS. Jandaha, Distt-  
Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 6873 of 2024**

Arising Out of PS. Case No.-113 Year-2023 Thana- BANGARA District- Samastipur

Suraj Sahani @ Suraj Sahni @ Suraj Kumar Sahni son of Raj Kumar Sahni,  
R/O Village-Mahisaur, PS. Jandaha, Distt-Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 7000 of 2024)

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Ms. Anita Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 6873 of 2024)

For the Petitioner/s : Mr.Mahendra Pratap, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      16-04-2024                      Since both the above applications for regular bail  
  
arise out of the same PS Case i.e., N.H. Bangara PS Case no.  
  
113 of 2023, they are being heard together and disposed of by a  
  
common order.

2.    Heard the parties.

3.    The petitioners have preferred these applications



for grant of regular bail in connection with N.H. Bangara PS Case no. 113 of 2023 registered under sections 25(1-B)a, 26 and 35 of the Arms Act.

4. As per the prosecution case, the informant states that the accused persons were also accused in one Bangara PS Case no. 96 of 2023 registered under section 302 of the Indian Penal Code. In connection with the said case, on the confession of co-accused Nikki Kumar, arms used in the offence which led to the registration of the said FIR was recovered.

5. Learned counsel appearing for the petitioners submits that from the contents of the FIR itself, it would be evident that it was the statement of co-accused Nikki Kumar which has led to the alleged recovery of the incriminating articles. The only material against these petitioners is the confessional statement of co-accused made before the police. The petitioners are in custody since 22.8.2023 and 4.9.2023 respectively and the charge-sheet has been submitted in the case.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegations in the F.I.R., the alleged recovery of fire-arm having been made on the confessional statement of co-accused Nikki Kumar and not the



petitioners herein together with petitioners having remained in custody since 22.8.2023 and 4.9.2023 respectively, the Court directs both the petitioners to be enlarged on bail in connection with N.H. Bangara PS Case no. 113 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Samastipur.

**(Partha Sarthy, J)**

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