

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13506 of 2024

Arising Out of PS. Case No.-310 Year-2023 Thana- MAJORGANJ District- Sitamarhi

MD. NOMAN NIYAJI S/O USMAN ANSARI R/O VILLAGE- KUARI
MADAN, WARD NO. 08, P.S- MEJAROGANJ, DISTT.- SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 14849 of 2024

Arising Out of PS. Case No.-310 Year-2023 Thana- MAJORGANJ District- Sitamarhi

Vivek Kumar @ Pintu S/o Dharmendra Tiwari Resident of Village- Khairwa
(Khairva) Police Station- Mejorganj, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 13506 of 2024)
For the Petitioner/s : Mr. Ayush Kumar, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP
(In CRIMINAL MISCELLANEOUS No. 14849 of 2024)
For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 212-03-2024
1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Majorganj P.S. Case no.310 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.



3. As per the prosecution case, the informant states that on having received information about the accused persons having gathered and planning to give effect to an occurrence, a raid was conducted. The accused persons were caught. It is stated that from the possession of Md. Noman Niyaji, a live cartridge and a knife was recovered while from the possession of Vivek Kumar, two live cartridges were recovered.

4. Learned counsel for the respective petitioners submits that the petitioners have been falsely implicated in the case. No incriminating article has been recovered from their possession. They are in custody since 20.10.2023 and chargesheet has been submitted in the case. They have no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the articles recovered from these two petitioners as stated in the F.I.R., the petitioners having no criminal antecedent and their being in custody for more than 4 months since 20.10.2023 together with chargesheet having been submitted in the case, the Court directs both the petitioners to be enlarged on bail in connection with Majorganj P.S. Case no.310 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 A.C.J.M. 1st, Sitamarhi, District Sitamarhi.

(Partha Sarthy, J)

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