

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52720 of 2024

Arising Out of PS. Case No.-170 Year-2024 Thana- KHAGARIA District- Khagaria

1. Santosh Kumar Son of Jaduvir Prasad Yadav R/O Vill.- Shankarpur, P.s.- Muffasil, Dist.- Munger.
2. Mantosh Kumar Son of Jaduvir Prasad Yadav R/O Vill.- Shankarpur, P.s.- Muffasil, Dist.- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-08-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. In this case, the petitioners are seeking regular bail in connection with Khagaria (Muffasil) P.S. Case No. 170 of 2024, registered for the offences punishable under Sections 25(1-b)A, 26, 35 of the Arms Act.

3. The prosecution case, in short, is that on 14.03.2024, the informant, based on a secret information, surrounded the *basa* of Ashok Yadav. On seeing police, two persons tried to flee but got apprehended and disclosed their names as petitioners Santosh Kumar and Mantosh Kumar. From the possession of the petitioner, Mantosh Kumar one pistol and



five live bullets were recovered and from the possession of the petitioner Santosh Kumar one country made pistol and six live bullets were recovered.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. They are the persons of clean antecedents and under custody since 15.03.2024.

5. Considering the above-mentioned facts and circumstances, the petitioners, above-named, are directed to furnish bail bond **after completing six months of custody** and on doing so, the court below shall release the petitioner 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, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 170 of 2024, 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, the prosecution will have liberty to file an application before the court below for cancellation of the



bail of the petitioners and the learned court below will take
decision in accordance with law.

(Nawneet Kumar Pandey, J)

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