

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56737 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

Golu Kumar @ Bangali, son of Balmiki Sharma @ Tuntun Sharma, resident
of Village- Paleya PS- Makhdumpur District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 59351 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- MAKHDUMPUR District- Jehanabad

Chhotu @ Babu @ Chhotu Kumar S/o Anil Ram R/o Village Paleya, P.S.-
Makhdumpur, District - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56737 of 2024)

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 59351 of 2024)

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-09-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for
grant of regular bail in connection with Makhdumpur P.S. Case
no.99 of 2024 registered under sections 307, 402 and 399 of the
Indian Penal Code and sections 25(1-B)(a), 26, 27 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 an occurrence of *dacoity*, it is stated that a raid was conducted. It transpired that one of the accused Golu Kumar had sustained firearm injury in an accidental fire which had taken place. The informant states that Golu Kumar who sustained injury took the name of Lav Kumar as having handed over the firearm to him and in turn Lav Kumar took the name of Balajee and finally the firearm was recovered from tube well boring of Lav Kumar.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. No incriminating article has been recovered from their possession. Co-accused Lav Kumar has been enlarged on bail vide order dated 5.6.2024 passed in Cr. Misc. no. 40063 of 2024. The petitioners are in custody since 28.2.2024 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioners in the FIR, their being in custody for over 6 months since



28.2.2024 and charge-sheet having been submitted in the case, both the petitioners are directed to be enlarged on bail in connection with Makhdumpur P.S. Case no.99 of 2024 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 Additional Chief Judicial Magistrate-I, Jehanabad.

(Partha Sarthy, J)

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