

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57103 of 2024

Arising Out of PS. Case No.-141 Year-2024 Thana- RAHUI District- Nalanda

1. Satyendra Kumar Giri S/o Prabhu Giri R/o vill - Kaithvaliya, P.S. - Yogapatti, Distt.- West Champaran
2. Amit Kumar S/o Amrika Shah R/o vill - Kaithvaliya, P.S. - Yogapatti, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-08-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Rahui P.S. Case No. 141 of 2024 dated 15.03.2024 registered for the offences punishable u/ss 414 of the Indian Penal Code Section 25(1-B)a, 26 and 35 of the Arms Act and Section 21 of the N.D.P.S. Act.

3. As per the prosecution case, one loaded country made pistol with one live cartridge, 3.18 gms brown sugar and a mobile phone were recovered from the possession of the petitioner, Satyendra Kumar Giri. One loaded country made pistol with one live cartridge, 3.16 gms. brown sugar and one



mobile phone were recovered from the possession of the petitioner, Amit Kumar.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners and the petitioners have no concern with the alleged recovery. Learned counsel has further submitted that the seized contraband is of small quantity. The petitioner no. 1 has seven criminal antecedents whereas the petitioner no. 2 has six criminal antecedents as stated in para 3 of the bail petition and also submitted that the said criminal antecedents of the petitioners are not related to the offence of the N.D.P.S. Act. The petitioners are in custody since 16.03.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Nalanda at Biharsharif in connection



with Rahui P.S. Case No. 141 of 2024 with the condition :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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