

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32646 of 2021

Arising Out of PS. Case No.-247 Year-2020 Thana- ALAMNAGAR District- Madhepura

1. NITISH KUMAR S/o Suman Singh @ Suman Kumar @ Sumant Singh R/o village- Kurban, Ward No. 5, P.S.- Beldour, District- Khagaria
2. Arbind Singh @ Arvind Kumar S/o Bijendra Singh R/o village- Kurban, Ward No. 5, P.S.- Beldour, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2021 Heard learned counsel for the petitioners and learned counsel for the State through video conferencing.

Petitioners seek regular bail in connection with Alam Nagar P.S. Case No. 247 of 2020 registered for the offence under Sections 25 (1-B)a, 26 , 35 of the Arms Act.

The Police intercepted one motorcycle on which two persons were riding and recovered a loaded country made pistol from the possession of the pillion rider i.e. petitioner no. 1.

Learned counsel for the petitioners submits that petitioners have no criminal antecedent and they have falsely been implicated in this case by the Police with oblique motive. He further submits that at the time of seizure of the fire arm



procedure regarding search and seizure prescribed under Section 100 Cr.P.C. has not been followed and the petitioners are in custody since 11-12-2020.

Regard being had to the submissions made by the parties and taking into consideration the materials available on record, the fact that petitioners have got no criminal antecedent, they are in custody since 11/12/2020, charge sheet has already been submitted, there is no likelihood that the petitioners will abscond or tamper with the evidence if released on bail, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1, Uda-Kishunganj, Madhepura in connection with Alam Nagar P.S. Case No. 247 of 2020.

(Anil Kumar Sinha, J)

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