

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32641 of 2020

Arising Out of PS. Case No.-443 Year-2020 Thana- DANAPUR District- Patna

SURAJ KUMAR S/o Sanjeet Kumar @ Sanjeev Kumar Resident of Mohalla-Batthipar, P.S.-Danapur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate.

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 25 (1-b)a/26/35 of the Arms
Act.

Acting on a tip-off, informant along with the police
force proceeded and caught three persons near Arya Samaj
Mandir, Danapur and on search one country made pistol with
two live cartridges was recovered from the possession of the
petitioner.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated in this case. The
allegation levelled against the petitioner is not specific rather



general and omnibus in nature. It is further submitted that the seizure has not been prepared in terms of Section 100 of the Cr.P.C. and no independent witness has come forward to support the prosecution case. The petitioner has been languishing in custody since 09.08.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after completion of six months in custody**, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Danapur in connection with Danapur P.S. Case No.443 of 2020.

(Anjani Kumar Sharan, J)

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