

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35165 of 2022

Arising Out of PS. Case No.-69 Year-2021 Thana- ALOULI District- Khagaria

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KULKUL PANJIYAR @ KULKUL KUMAR @ VISHAL SON OF
UPENDRA PANJIYAR R/O VILLAGE- KUWAN, P.S.- BITHAN,
DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-07-2022 Heard Mr. Md. Najmul Hodda, learned counsel for

the petitioner and Mr. Jai Narain Thakur, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Alauli
P.S. Case No. 69 of 2021 registered for the offences punishable
under Sections 25(1-b)a, 26 and 35 of the Arms Act.

This is second attempt for grant of regular bail on
behalf of the petitioner inasmuch as earlier the bail application
of the petitioner was rejected by this Court vide order dated
8.2.2022 passed in Cr. Misc. 51886 of 2021 with liberty to
renew his prayer for grant of regular bail after three months.

The allegation as per the First Information Report is
that the Police got secret information that at Bahadurpur Pokhra



road in the right side of Bamboo groove some persons have assembled to commit crime, proceeded towards the place of occurrence and on seeing the Police Party, the accused persons started running away but, on chase they were apprehended. On search, one loaded country made pistol and one live cartridge have been recovered from possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive. He further submits that the procedure prescribed under Section 100 Cr. P.C. has not been followed by the Police at the time of search and seizure. The petitioner is in custody since 23.02.2021 and charge sheet has already been submitted.

Having regard to submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has remained in custody since 23.2.2021, charge sheet has already been submitted and the trial is not likely to be concluded in near future, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Khagaria, in
connection with Alauli P.S. Case No. 69 of 2021.

(Anil Kumar Sinha, J)

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