

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2172 of 2023

Arising Out of PS. Case No.-174 Year-2022 Thana- GWALPARA District- Madhepura

AMAN KUMAR S/o Sabal Kishor Yadav R/o Village- Chandika Asthan @
Chandi Sthan, Jamhara @ Jamhra, Ward No 10, P.S.- Sonbarsa Raj, Distt-
Saharsa.

... .. 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. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 25(1-b)a,
26, 35 of the Arms Act.

The prosecution case, in brief, is that the informant
along with police personnel were on patrolling duty, they
arrested the petitioner including co-accused person. Thereafter, a
loaded country made pistol was recovered from this petitioner
and a live cartridge along with motorcycle was recovered from
co-accused person.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. According



to FIR, a loaded country made pistol was recovered from possession of this petitioner but it appears from the seizure list that the alleged pistol was recovered on pitch road situated in from the house of Arun Yadav. The petitioner has no concern with the alleged arms which was seized by the police and his has falsely been made accused in the present case. It is further submitted that the petitioner is languishing in judicial custody since 13.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gwalpara P.S. Case No. 174 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Uda-Kishunganj, Madhepura.

(Sunil Kumar Panwar, J)

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