

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6328 of 2023

Arising Out of PS. Case No.-164 Year-2022 Thana- KASIMBAZAR District- Munger

AKASH KUMAR S/O SURENDRA MANDAL Resident of village- Ghosi
Tola, P.S.- Kasim bazar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-05-2023 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(i)(ii)/35 of the Arms Act.

As per FIR, after getting secret information about some miscreants who were hidden themselves in temple near Town High School, the police party raided at the place of occurrence and arrested them. Thereafter, search has been conducted and recovered three live cartridges along with two mobile phones from possession of this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no



concern with the alleged arms which was seized by the police or with the co-accused persons. It is further submitted that the seizure list witness are police official not a single independent witness which violates the provision of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 19.6.2022.

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 period of 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 Kasim Bazar P.S. Case No. 164 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 Chief Judicial Magistrate, Munger.

(Sunil Kumar Panwar, J)

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