

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16030 of 2023

Arising Out of PS. Case No.-146 Year-2022 Thana- KHAGARIA RAIL P.S. District-
Khagaria

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Saurav Kumar @ Chhotu Son Of Tanuk Lal Mahto @ Tanuk Lal Singh R/O
Daan Nagar, Ward No.02, P.S.- Khagaria, District- Khagadiya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivnandan Bharti
For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-05-2023 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 401/414 of the IPC and Sections 25(1-B)a/26/35 of Arms Act.

As per FIR, allegation against the petitioner along with co-accused persons that while they were assembled and preparing for committing offence, the police party reached the place of occurrence and arrested them. On search, three live cartridges along with a knife have been recovered from the possession of the 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 co-accused person. It is further submitted that the prosecution did not follow the mandatory provision of Cr.P.C. in preparing the seizure list. Moreover, the petitioner is languishing in judicial custody since 28.9.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rail Khagaria P.S. Case No. 146 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 Additional Sessions Judge-III, Khagaria.

(Sunil Kumar Panwar, J)

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