

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6301 of 2023

Arising Out of PS. Case No.-479 Year-2022 Thana- FATEHPUR District- Gaya

MRITYUNJAY KUMAR @ MRITUNJAY KUMAR S/O KRISHNA
NANDAN PRASAD Resident of Village- Saidi, P.S.- Katrisarai, District-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 414 and 120(B) of the
Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms
Act.

As per allegation in the FIR, on secret information,
from the place of occurrence, four persons including the
petitioner with three motorcycles were apprehended. On search,
one loaded pistol, three live cartridges, one motorcycle, ATM
Cards, driving license and an amount of Rs. 500/- were
recovered from possession of the petitioner.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. There is no proper compliance of Section 100 Cr.P.C. as no independent witness has signed on the seizure list. Petitioner has been remanded in three more cases after his arrest in the present case. Petitioner is languishing in judicial custody since 31.7.2022.

The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM-X Gaya in connection with Fatehpur PS Case No. 479 of 2022.

(Sunil Kumar Panwar, J)

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