

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5272 of 2023

Arising Out of PS. Case No.-194 Year-2022 Thana- SABAUR District- Bhagalpur

Pankaj Paswan Son Of Late Tetar Paswan R/V- Jicho, Bishanpur Satan
Pokhar, P.S.- Lodipur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-04-2023 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 399, 402 of the Indian Penal Code and Section 25(1-b)a, 26/35 of the Arms Act.

As per prosecution case, informant alleged that on getting a secret information he along with police party proceeded for the place of occurrence where accused persons were assembled to commit loot and apprehend them along with this petitioner and from possession of this petitioner one loaded country made pistol, and one jio company mobile recovered and from other accused persons



a motorcycle and other articles recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. During investigation no any material brought on record, which shows that the accused persons were gathered to commit loot. There is no eye witness of the aforesaid occurrence and seizure list prepared in the presence of police party, which does not follow Section 100 of the Cr.P.C. Nothing has been recovered from the physical possession of the petitioner. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 29.05.2022.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sabour P.S. Case No. 194 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, XIV, Bhagalpur.

(Sunil Kumar Panwar, J)

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