

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8239 of 2023

Arising Out of PS. Case No.-315 Year-2022 Thana- MOTIPUR District- Muzaffarpur

SATENDRA RAM @ SATYENDRA RAM S/o Keshwar Ram R/o Village-
Thikha Nankat, P.S.- Pakri Dayal, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out of
Motipur Police Station Case No. 315 of 2022 dated 30.08.2022,
disclosing offences under Sections 25(1-B)a/26/35 of the Arms
Act.

The prosecution story, on the basis of First
Information Report, is that a loaded country made pistol has
been recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is in custody since 31.08.2022, i.e. for about more
than eight months.

He further submits that the police while preparing the
seizure has not followed the procedure prescribe under Section



100 of the Criminal Procedure Code.

Regards being had to the submissions made by the parties and taking into consideration the fact that the offences alleged against the petitioner is triable by the Magistrate and he is in custody since 31.08.2022.

Accordingly, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Additional Chief Judicial Magistrate 2nd, Muzaffarpur (West) in connection to the Motipur Police Station Case No. 315 of 2022 dated 30.08.2022, disclosing offences under Sections 25(1-B)a/26/35 of the Arms Act.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, their bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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