

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8839 of 2023

Arising Out of PS. Case No.-23 Year-2022 Thana- BALIGAON District- Vaishali

AMARJEET KUMAR RAI @ AMARJEET KUMAR SON OF RAMESH
RAI @ RAMESH KUMAR YADAV R/O VILLAGE- BHANPUR
BAREWA, P.S.- GORAUL, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Section 414 of the Indian Penal
Code and Sections 25(1-B)a and 26 of the Arms Act.

As per prosecution case, on receiving a secret
information that one boy is wandering here and there near
Chiknauta Chowk in suspicious condition, thereafter the police
personnel reached at that place. There has been recovery of one
loaded country-made pistol and two live cartridges from the
waist of the petitioner and two mobile phones.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has



committed no offence. The petitioner has no concern with the alleged arms and cartridges, which was seized by the police. Only on the basis of suspicion, petitioner has implicated in the present case by the police due to his criminal antecedents. The provision of Section 100 of the Cr.P.C., has not followed in this case, while preparing the seizure list. He is languishing in judicial custody since 08.03.2022.

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 as well as the period of custody, 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 Judicial Magistrate-1st Class, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 23 of 2022.

(Sunil Kumar Panwar, J)

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