

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11034 of 2023

Arising Out of PS. Case No.-986 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Manoj Kumar S/O Sahbir Mahto @ Sahvir Mahto Resident Of Village-
Anjanpir Bind Toli, P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-04-2023 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 25(1-b)a/26/35 of the Arms Act.

As per prosecution case, informant alleged that upon getting a secret information he apprehended co-accused while he was going to commit robbery and upon his confession petitioner was also apprehended and on search, two loaded country made pistol and three live cartridges were recovered from his possession. After that this case has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of



confessional statement of co-accused which does not got evidentiary value in the eye of law. Petitioner has no concern with the alleged recovery. He has got no criminal antecedent. It is further submitted that seizure list has not been prepared as per Section 100 of the Cr.P.C. moreover, petitioner is languishing in judicial custody since 06.12.2022.

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 Hajipur Sadar P.S. Case No. 986 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 Chief Judicial Magistrate, Hajipur at Vaishali.

(Sunil Kumar Panwar, J)

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