

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23071 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- PATLIPUTRA District- Patna

Raj Kumar Sahani @ Balak Son Of Nunnu Lal Sahani R/O Village- Balwa Chakdah, P.S.- Goshwari, District- Patna A/P R/A Village- Mainpura, P.S.- Patliputra, District- Patna, And Also House Of Ashok Choudhary, Kurji Balupar, P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 25 (1-b)a/26 of the Arms Act.

3. Prosecution case relates to recovery of one loaded country made pistol and one live cartridge were recovered from possession of the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Police asked the petitioner to be an independent witness of the alleged recovery but due to his denial, petitioner implicated him in this case as an accused and the alleged recovery has to be shown as



recovered from conscious possession of the petitioner. No one is the independent witnesses of the seizure list. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 03.04.2022.

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

6. 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 A.C.J.M. X, Patna in connection with Patliputra P.S. Case No. 187 of 2022.

(Sunil Kumar Panwar, J)

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