

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11105 of 2023

Arising Out of PS. Case No.-317 Year-2022 Thana- SONBERSA District- Sitamarhi

RAUSHAN KUMAR Son of Indrajeet Rai Resident of Village - Dhaukaul,
P.S.- Piprauli, District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-05-2023 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 section 25(1-b)a, 26, 35 of the Arms Act.

As per FIR, prosecution case relates to recovery of one country made pistil along with six live cartridges from possession of the petitioner while he was trying to escape after seeing the police party.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged arms which was seized by the police. It is further submitted that there is contradiction in the seizure list



and FIR that as per seizure list, the arms seized at police station, though, as per FIR, the same seized near Hanuman temple chek post. It is further submitted that the petitioner is languishing in judicial custody since 13.9.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sonbarsa P.S. Case No. 317 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 Judicial Magistrate, 1st Class, Sitamarhi.

(Sunil Kumar Panwar, J)

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