

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13993 of 2023**

Arising Out of PS. Case No.-164 Year-2022 Thana- KASIMBAZAR District- Munger

Rohit Kumar @ Rohit Thakur S/O Birbal Thakur @ Birbal R/O Mohalla-  
Ghoshi Tola, P.S.- Kasim Bazar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jyoti Ranjan Jha

For the Opposite Party/s : Mr.Satya Nand Shukla

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      10-07-2023                      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(i)(ii)/35 of the Arms Act.

As per FIR, after getting secret information  
about some miscreants who were hidden themselves in  
temple near Town High School, the police party raided at  
the place of occurrence and arrested three persons  
including the petitioner. From the possession of the  
petitioner, one country made pistol and one live  
cartridges were recovered.



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 or with the co-accused persons. It is further submitted that the seizure list witness are police official, not independent witness, which violates the provision under Section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 19.6.2022.

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 period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kasim Bazar P.S. Case No. 164 of 2022 (Sessions Trial No. 287/2022) on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like  
amount each to the satisfaction of learned Additional  
Sessions Judge-II, Munger.

(Sunil Kumar Panwar, J)

Shageer/-

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