

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16741 of 2023

Arising Out of PS. Case No.-492 Year-2022 Thana- OBRA District- Aurangabad

BITTU KUMAR S/O BIRENDRA SAH @ VIRENDRA SAW R/v- Pipra,
P.S.- Jamhor, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-05-2023 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 Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per prosecution case, there has been recovery of one loaded country-made pistol and one live cartridge from the house of the co-accused Ranjan Kumar. The co-accused stated that the seized arms, which were recovered from his house was given to him by petitioner.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner has not apprehended on spot. The petitioner has no concern with the alleged arms and



cartridges, which was seized by the police. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Ranjan Kumar, which has got no evidentiary value in the eyes of law. No incriminating article has recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 31.12.2022.

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 Chief Judicial Magistrate, Aurangabad in connection with Obra P.S. Case No. 492 of 2022.

(Sunil Kumar Panwar, J)

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