

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16126 of 2023

Arising Out of PS. Case No.-146 Year-2022 Thana- KHAGARIA RAIL P.S. District-
Khagaria

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Sanjeet Kumar, Son of Kirtu Ray @ Kirti Ray R/o Chakia, Ward no. 6, PS-
Chakia, District- Begusarai, Presently residing at Pachpan Tola, Lakho, Ward
no. 14, P.S- Lakho District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Khagaria
Rail P.S. Case No. 146 of 2022 registered for the offence
punishable under Sections 401 and 414 of the Indian Penal Code
and Sections 25(1-B)a, 26, 35 of the Arms Act.

As per the FIR, allegation against the petitioner
alongwith co-accused person is that while they were assembled
and preparing for committing offence, the police party reached
the place of occurrence and arrested them. On search, three live
cartridges alongwith a country made pistol have been recovered
from the possession of this petitioner.

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 co-accused person. It is further submitted that the prosecution did not comply the mandatory provision of Cr.P.C. in preparing the seizure list. The petitioner is languishing in jail custody since 28.09.2022. The petitioner has no criminal antecedent.

Learned APP appearing for the State has opposed the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Khagaria in connection with Khagaria Rail P.S. Case No.146 of 2022.

(Sunil Dutta Mishra, J)

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