

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15514 of 2023

Arising Out of PS. Case No.-879 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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Kalamuddin Son Of Late Nurul Haque R/V- Kusmahawa, P.O.- Chandanbara,
Ward No. 5, P.S.- Dhaka, District- East Champaran At Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 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, 35 of Arms Act.

As per prosecution case, it is alleged that on
24.12.2022, during checking at Darbhanga Air Port, three
live bullets loaded in a magazine were detected in a bag
which belongs to the petitioner after that this case has been
lodged.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case merely on the basis of suspicion. The petitioner has no concern with the alleged recovery nor any incriminating article has been recovered from his conscious possession. It is further submitted that the seizure list has not been prepared as per provision of u/s 100 of the Cr.P.C. moreover, the petitioner is languishing in judicial custody since 25.12.2022.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Darbhanga P.S. Case No. 879 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 Chief Judicial Magistrate, Darbhanga.

(Sunil Kumar Panwar, J)

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