

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14720 of 2023

Arising Out of PS. Case No.-913 Year-2022 Thana- MAJHAULIA District- West Champaran

BITTU KUMAR S/O SRI BHARAT SAH R/V- VRITI TOLA, WARD NO.-
2, P.S.- JAGDISHPUR, DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

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 bail in a case registered for the offence punishable under sections 399, 402, 413, 414/34 of the Indian Penal Code and sections 25(1-B (a)/26/35 of the Arms Act.

Prosecution case relates to gathering of antisocial elements for hatching a conspiracy. Acting on a tip off, police party proceeded towards the place of occurrence and apprehended two accused persons including the petitioner. On search, one country made pistol loaded with three live cartridges were recovered from possession of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. The



alleged recovery is planted one by the police mechanism. No provision of Section 100 Cr.P.C. has been followed in preparing the seizure list. Due to his several criminal antecedents, he has been named in the present case. Petitioner is languishing in judicial custody since 21.11.2022.

The application for bail is opposed by learned APP for the State and submitted that petitioner is a habitual offender.

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 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 CJM, West Champaran at Bettiah in connection with Majhaulia P.S. Case No. 913 of 2022.

(Sunil Kumar Panwar, J)

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