

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14690 of 2023

Arising Out of PS. Case No.-706 Year-2022 Thana- KANTI District- Muzaffarpur

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RUPESH KUMAR SON OF KAMESWAR SINGH R/O VILLAGE- JAYA,
P.S.- GAYGHAT, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Punam Shrivastava

For the Opposite Party/s : Mr.Sucheta Yadav

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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 bail in a case registered
for the offence punishable under sections 25(1-b) (a)/26 of the
Arms Act.

Prosecution case relates to acting on a tip off, police
party proceeded towards the place of occurrence and appre-
hended the petitioner after chase. On search, one country made
pistol loaded with two live cartridges were recovered from pos-
session of the petitioner.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. The al-
leged recovery is planted one by the police mechanism. No pro-
vision of Section 100 Cr.P.C. has been followed in preparing the



seizure list. Petitioner is languishing in judicial custody since 19.10.2022.

The application for bail is opposed by learned APP for the State and submitted that petitioner has two criminal antecedents.

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 Judicial Magistrate 1st Class (west), Muzaffarpur in connection with Kanti Muzaffarpur P.S. Case No. 706 of 2022.

(Sunil Kumar Panwar, J)

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