

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15852 of 2023

Arising Out of PS. Case No.-318 Year-2022 Thana- KHODAWANDPUR District- Begusarai

Birju Paswan, S/O Bhatu Paswan, R/v- Chakmohli Ward No. 12 (Chak Maholi), P.S.- Rosera, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-06-2023 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 a case of recovery of one loaded country made pistol, one motorcycle and one mobile from the petitioner. The other articles were also recovered from the other accused person.

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 not concern with the alleged recovery of arms or motorcycle which were seized by the police. So far as mobile is concerned, the petitioner claims that the same is his own mobile. It is further



submitted that seizure list has not been prepared in accordance with law as the witnesses are police officials. Moreover, the petitioner is languishing in judicial custody since 06.11.2022.

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 period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Khodwanandpur P.S. Case No. 318 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 S.D.J.M., Manjhaul, Begusarai.

(Sunil Kumar Panwar, J)

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