

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16164 of 2023

Arising Out of PS. Case No.-747 Year-2022 Thana- MAHUA District- Vaishali

VIVEK KUMAR Son of Mintu Ray Resident of village - Madhaul, P.S.-
Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sinha

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-05-2023 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 414/34 of the IPC 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 gola road near registry office, patna
and apprehended the petitioner. On search, one pistol, one
mobile and one hero splendor motorcycle 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 seized mobile as well as motorcycle belongs to the



petitioner and registration certificate of the vehicle in annexed as Annexure-2 to this petition. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner has got no criminal antecedent and languishing in judicial custody since 1.12.2022.

The application for bail is opposed by learned APP for the State.

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, Vaishali at Hazipur in connection with Mahua P.S. Case No. 747 of 2022.

(Sunil Kumar Panwar, J)

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