

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23232 of 2023

Arising Out of PS. Case No.-1343 Year-2022 Thana- PHULWARISHARIF District- Patna

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ARVIND KUMAR S/O RAMJI MAHTO Resident of village- Tamtam Paraw,
Jogiya Tola, P.S.- Phulwari Sharif, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 25(1-B)a, 26 and 35 of
the Arms Act.

As per prosecution case, on receiving a secret
information that beside the house of one Subhash Sonar, two
boys showing their weapons, thereafter the police personnel
reached at that place. On search, there has been recovery of one
country-made pistol and two live cartridges from left waist of
the petitioner.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. The petitioner has no concern with the



alleged arms and cartridges, which was seized by the police. The provision of Section 100 of the Cr.P.C. has not followed in this case, while preparing the seizure list. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 03.11.2022.

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 as well as the period of custody, 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 Additional Chief Judicial Magistrate-XIV-cum-Sub Judge-XIV, Patna in connection with Phulwarisharif P.S. Case No. 1343 of 2022.

(Sunil Kumar Panwar, J)

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