

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17894 of 2023

Arising Out of PS. Case No.-314 Year-2022 Thana- KARJA District- Muzaffarpur

NIRAJ KUMAR S/O DEVENDRA SAHNI Resident of Village- Kharauna
Dih, P.S.- Kudhani, (Turki O.P.), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 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 414 of the IPC and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per FIR, the prosecution case relates to recovery of one country made pistol, one mobile and one motorcycle from the possession of petitioner and co-accused persons. It is further alleged that accused persons were apprehended on the spot after that this case has been lodged.

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 no concern with the alleged recovery rather the recovered motorcycle and mobile belong to the brother of the petitioner. It is further submitted that the seizure list has not been prepared as per provision of u/s 100 of the Cr.P.C. 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 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 Karja P.S. Case No. 314 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 J.M., Ist Class, Muzaffarpur West.

(Sunil Kumar Panwar, J)

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