

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18551 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Amit Kumar Son Of Ashok Prasad Srivastav R/O Village- Gangti, P.S.-
Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 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 399, 402 of the IPC and Section 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, it is a case of assembling for preparation of commission of offence. It is further alleged that the petitioner was apprehended on the spot and from his possession one loaded country made pistol and two mobile phones were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to high handedness of the police. The petitioner has no concern with the alleged recovery and seizure list has not been prepared as per provision of Section 100 of the Cr.P.C. It is further submitted that the petitioner is languishing in judicial custody since 09.01.2023.

Learned APP appearing for the state and learned counsel for the aggrieved party have 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 Ahiyapur P.S. Case No. 33 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur.

(Sunil Kumar Panwar, J)

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