

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18180 of 2023

Arising Out of PS. Case No.-596 Year-2022 Thana- BIHPUR District- Bhagalpur

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ARJUN KUMAR SAHANI S/O BHUSHAN SAHANI Resident of Village-
Gunol, P.S.- Bihpur (Bhawanipur), District- Bhagalpur. (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pandey

For the Opposite Party/s : Mr.Rabindra Kumar

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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
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 one person kept illegal weapon with him
thereafter the police personnel reached at that place. One person
apprehended and there has been recovery of one loaded country-
made pistol and two live cartridges from the pocket 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 seizure list has not prepared as per the law and there is no independent witness of the seizure list. No incriminating article has recovered from the conscious possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 28.10.2022.

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 Judicial Magistrate-1st Class, Naugachia, Bhagalpur in connection with Bihpur P.S. Case No. 596 of 2022.

(Sunil Kumar Panwar, J)

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