

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20974 of 2023

Arising Out of PS. Case No.-6 Year-2023 Thana- SIMRI District- Buxar

Sanjay Kumar Tiwari, Son of Srinivas Tiwari, Resident Of Village- Asha Padari, P.S. - Simri, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr.Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Simri P.S. Case No. 06 of 2023, registered for the alleged offences under Sections 25 (1-B)a and 26 of the Arms Act.

3. As per prosecution case, the police received secret informant about a person carrying illegal weapon. On the basis of this information, the petitioner was apprehended and from his possession, a country made pistol and four live cartridges were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The seizure list was not prepared in accordance with



Section 100 Cr.P.C. The petitioner is in custody since 08.01.2023 and is having clean antecedent. The charge sheet has been submitted.

5. Learned A.P.P. opposes the prayer for bail submitting that from the possession of the petitioner, arms and ammunitions were recovered.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner and also his clean antecedent, the petitioner is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Buxar, in connection with Simri P.S. Case No. 06 of 2023, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the



bail bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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