

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23368 of 2023

Arising Out of PS. Case No.-144 Year-2022 Thana- KATHAIYA District- Muzaffarpur

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RAMESH KUMAR S/O JAYLAL RAM R/O Village- Rewa Dih, P.S-
Saraiya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-07-2023 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 section 411, 414 of the I.P.C. and Section 25(1-b)a, 26, 35 of Arms Act.

The prosecution case, in brief, is that the informant along with police personnel was on duty of vehicle checking and arrested the petitioner with a motorcycle. After search, one country made pistil including live cartridges was recovered from possession of the petitioner.

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 ulterior motive. The petitioner has no concern with the alleged arms which was



seized by the police. The seized motorcycle has not been recovered from possession of the petitioner. It is further submitted that the seizure list witness are police officials not a single independent witness which violates section 100 of Cr.P.C. Moreover, the petitioner has got no criminal antecedent and he is languishing in judicial custody since 12.9.2022.

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 period of the petitioner, this court is inclined to him on bail. The above named petitioner is directed to be released on bail in connection with Kathaiya P.S. Case No. 144 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 S.D.J.M. (West), Muzaffarpur.

(Sunil Kumar Panwar, J)

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