

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26987 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- KORMA District- Sheikhpura

1. Vijay Kewat S/O- Hemraj Kewat Village- Dih Kusumbha Ps- Korma Dist- Sheikhpura
2. Brahmdeo Kewat Son Of Shankar Kewat R/O Vill.- Dih Kusumbha, P.S.- Korma, Distt.- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with Korma P.S. Case No. 180 of 2022 registered for the offence under Sections 25(1-b)a, 26, 35 of the Arms Act.

As per FIR, prosecution case relates to recovery of one loaded country made pistol including five live cartridges from possession of petitioner no.1 and one country made pistol along with three cartridges was recovered from house of petitioner no.2.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They



have falsely been implicated in this case on the basis of suspicion. The petitioners have no concern with the alleged armed which were seized by the police. Learned counsel for the petitioners further submits that seizure list witnesses are not independent witnesses, so the mandatory provision of Cr.P.C. has not been followed. It is further submitted that the petitioners are languishing in judicial custody since 23.12.2022.

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 petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Korma P.S. Case No. 180 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Sheikhpura.

(Sunil Kumar Panwar, J)

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