

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25525 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- SARAI District- Vaishali

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Murli Kumar @ Murli Thakur Son Of Late Madan Thakur R/O Village- Mani
Bhakurahar, P.S.- Sarai, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 25(1-b)A/26/35 of the Arms Act.

The prosecution case relates to recovery of one loaded
country made pistol and one live cartridge on search of bed of
the petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner is innocent and has committed no offence. He
has falsely been implicated in the present case. Neither anything
has been recovered from the conscious possession of the
petitioner nor he has concern with alleged arms which were



seized by the police. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. The petitioner is languishing in judicial custody since 04.02.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sarai P.S. Case No. 37 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XVI, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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