

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31959 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- DEEPNAGAR District- Nalanda

BITTU KUMAR S/O RAMBALI PRASAD R/O Village- Karai, P.S-
Deepnagar, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Varma

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 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 25(1-b)a, 26, 35 of the Arms Act.

The prosecution case, in brief, is that the informant along with police personnel reached near Dipnagar and arrested the petitioner along with co-accused. Upon search, on live cartridge was recovered from possession of the petitioner. According, the seizure list has been prepared.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the co-accused persons or with the alleged arms



which was seized by the police. It is further submitted that the seizure list witnesses are police officials, not a single independent witness which violates section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 24.1.2023.

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 custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Deepnagar P.S. Case No. 42 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Biharsharif, Nalanda.

(Sunil Kumar Panwar, J)

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