

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37041 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

KRISHNA KUMAR son of Uday Shankar Sharma @ Uday Shankar Sharma
Village- Sahuri ward no-6, Ps- Birpur Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-07-2023 The defect(s) as pointed out by the office is ignored.

Heard learned counsel for the petitioner and learned
APP for the State.

3. The petitioner has prayed for bail in a case registered for the offence punishable under sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, during patrolling party two accused persons were arrested on spot and one managed to escape. On search, one loaded country made pistol and one live cartridges of .315 bore have been seized from possession of the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Petitioner was simply passing through the road and he has been



asked by the police to become the witness of the alleged search and seizure to which petitioner has refused, then only he has been made accused in the present case. Seizure list witnesses are police officials. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 09.01.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai in connection with Town PS Case No. 22 of 2023.

(Sunil Kumar Panwar, J)

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