

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34256 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- SUGAULI District- East Champaran

Shubham Verma @ Shubham Kumar Son of Harendra Prasad Sriwastwa Resident of Village- Shekhpurwa Bazar, PS- Pakaridayal, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-10-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 399, 402, 414 of the Indian Penal Code and Sections 25(1-B)A, 26 and 35 of the Arms Act and Section 8/20(b)(ii)(c) of the N.D.P.S. Act.

3. As per FIR, allegation against the petitioner is to involve in preparation for committing dacoity along with other co-accused persons and while preparing so, petitioner was apprehended and from his possession one country made pistol, two live cartridges, mobile phones and cash Rs. 80,000/- was recovered. It is further alleged that from co-accused persons other incriminating articles along with 1.242 kg charas like substance was recovered.

4. It is submitted by learned counsel for the petitioner is innocent and has committed no offence. The petitioner has no



concern with the alleged recovered arms and cartridges rather due to high handedness of police officials he has falsely been implicated in this case. The alleged recovery of narcotic substance has been made from other co-accused persons and not from the possession of the petitioner. The provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. The other co-accused has already been enlarged on bail by this Court vide order dated 04.09.2023 passed in Cr. Misc. No.59183 of 2023. Moreover, the petitioner is languishing in judicial custody since 31.03.2023.

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 Sessions Judge/Special Judge, East Champaran, Motihari in connection with Sugauli P.S. Case No. 119 of 2023.

(Sunil Kumar Panwar, J)

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