

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36682 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- MAHUA District- Vaishali

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SUNNY KUMAR @ KALLU Son of Jitendra Patel Resident of village -
Kanhauli Patel Nagar, P.S. - Mahua, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-07-2023 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 sections 401, 402, 412, 414/34 of the IPC and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, it is a case of recovery of one country made pistol and one live cartridge from the bed of the petitioner.

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 alleged recovery and nothing



incriminating article has been recovered from his conscious possession. It is further submitted that the seizure list has not been prepared as per provision of Section 100 of the Cr.P.C.. Moreover, the petitioner is languishing in judicial custody since 21.01.2023.

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 as 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 Mahua P.S. Case No. 28 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 Judicial Magistrate Ist Class, Hajipur Vaishali.

(Sunil Kumar Panwar, J)

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