

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41234 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- MOTIPUR District- Muzaffarpur

VIVEK KUMAR S/O KAMTA RAI @ KANTA PRASAD RAI R/O Village-
Gossaipur, P.S- Rajepur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 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 399, 402 of the IPC and Section 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, the petitioner was apprehended on the spot and from his possession one country made pistol along with a live cartridge was recovered.

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. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 12.02.2023.

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 Motipur P.S. Case No. 46 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 ACJM 2nd West Muzaffarpur.

(Sunil Kumar Panwar, J)

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