

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42226 of 2023

Arising Out of PS. Case No.-215 Year-2023 Thana- BIDUPUR District- Vaishali

SURENDRA DAS Son of Suresh Das @ Suresh Ram Resident of Village -
Karmopur, P.S.- Raghapur in the District of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402, 414, 468, 467, 471, 120B of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per FIR, the petitioner was apprehended on the spot while he along with other was assembled in a garden to commit an offence. On search one country made pistol along with three live cartridges were recovered from the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the basis suspicion. The petitioner has no



concern with the alleged recovery rather he has been made accused in this case due to high handedness of the police officials. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 21.07.2023 passed in Cr. Misc No. 39003 of 2023. The petitioner is languishing in judicial custody since 04.04.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Biddupur P.S. Case No. 215 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, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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