

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41602 of 2022

Arising Out of PS. Case No.-289 Year-2017 Thana- SAHEBGANJ District- Muzaffarpur

Mithlesh Ram Son Of Rajgeer Ram Villlage - Dihjivar, P.S.- Hathauri Distt. -
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Sahebganj P.S. Case No. 289 of 2017 registered under Section 120(B) of the Indian Penal Code, Sections 25(1-b)a, 25(1-A), 25(1-AA), 25(1-AAA), 26(2), 27(2) & 35 of the Arms Act, Sections 3 & 4 of Explosive Substance Act and Sections 16, 17, 18, 20, 22, 23 of UAP Act.

Prosecution case relates to recovery of illegal arms and ammunition from possession of co-accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. Nothing incriminating article has been recovered from his conscious



possession. Petitioner was not apprehended on spot rather his name came to light only on the basis of confessional statement of apprehended co-accused Sujit Kumar before the police, which is not admissible in law. Petitioner is languishing in judicial custody since 02.03.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sahebganj P.S. Case No. 289 of 2017 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-Cum-Special Judge, Muzaffarpur.

(Sunil Kumar Panwar, J)

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