

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45644 of 2023**

Arising Out of PS. Case No.-89 Year-2023 Thana- ASHTHAWAN District- Nalanda

Chandan Kumar @ Chandan Mistry S/O Suresh Malakar R/O Village-  
Utarnawan, Ps. Rahui, Dist. Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      28-07-2023                      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 a case registered for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution case relates to recovery of one live cartridge from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. The petitioner has no concern with the alleged recovery. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is further submitted that the petitioner is languishing in judicial



custody since 04.04.2023.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Asthawan P.S. Case No. 89 of 2023 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 Judicial Magistrate 1<sup>st</sup> Class, Nalanda at Biharsharif.

**(Sunil Kumar Panwar, J)**

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