

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47062 of 2023

Arising Out of PS. Case No.-164 Year-2023 Thana- DEEPNAGAR District- Nalanda

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BALRAM KUMAR Son of Rajesh Yadav R/O Village - Biawani, P.S.-
Deepnagar, District - Nalanda (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar, Advocate
	:	Mr. Amrendra Kumar, Advocate
	:	Mr. Dinesh Kumar, Advocate
For the Opposite Party/s :		Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with
Deepnagar P.S. Case No. 164 of 2023 registered for the offence
under Sections 23(1-b) a/26 of the Arms Act.

3. The accused/petitioner is named in the F.I.R. and is
in custody since 06.04.2023.

4. The allegation against the petitioner is to have in



possession of one countrymade pistol alongwith three live cartridges.

5. Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery not appears from the conscious physical possession as per seizure list, which also appears doubtful being not supported by independent witnesses rather by police personnels. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as seizure list appears doubtful being not supported by independent witnesses rather by police personnels, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 06.04.2023, accordingly, petitioner, above named, is directed to be released on bail in connection with Deepnagar P.S. Case No. 164 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



learned Chief Judicial Magistrate, Nalanda,
Biharsharif/concerned court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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