

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46368 of 2023

Arising Out of PS. Case No.-152 Year-2023 Thana- RAJAPAKAR District- Vaishali

Shubham Kumar Son Of Sri Santosh Kumar @ Santosh Kumar Singh
Resident Of Village- Rahimapur, Ward No. 07, Ps- Bidupur Dist- 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.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 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, 413 and 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of Arms Act.

It is a case of preparation of offence by the co-accused persons including this petitioner. Further on raid by the police on the basis of information, several co-accused persons along with this petitioner was arrested on spot. After search, there has been recovery of one loaded country made pistol along with one live cartridge from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. It is further submitted that there is no independent witness of seizure list which violates the provision of Section 100 of the Cr.P.C. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 29.04.2023.

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 Rajapakar (Baranti O.P.) P.S. Case No. 152 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 Chief Judicial Magistrate, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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