

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49632 of 2023

Arising Out of PS. Case No.-701 Year-2022 Thana- NAGAR District- Vaishali

Rahul Kumar Son Of Ganga Sahni @ Doman Sahni R/O-Nakhas Chowk,
P.S.-HAJIPUR Town, Distt.-VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 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 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per prosecution case, it is a case of preparation for commission of offence and recovery of one country made loaded pistol 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 alleged arm which was seized by the police. Both the seizure list witnesses are police personnel which is



complete violation of Section 100 of Cr.P.C. The petitioner is languishing in judicial custody since 15.09.2022.

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 Hajipur Town P.S. Case No. 701 of 2022 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 1st Class, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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