

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48539 of 2023

Arising Out of PS. Case No.-180 Year-2023 Thana- ALOULI District- Khagaria

NAKUL SINGH S/o Late Santhu Singh @ Sathu Singh Resident of Village-
Morkahi, P.S.-Alouli, District-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Manoj Kumar

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 bail in a case registered for the offence punishable under 25(1-B)a, 26, 27 and 35 of the Arms Act and sections 30(a) of the Bihar Prohibition and Excise Act.

AS per allegation in the FIR, on hearing the firing sound, police party proceeded towards place of occurrence and on seeing them, two accused persons started to flee away by motorcycle. On chase, they were arrested and disclosed their name as Rajesh Kumar and Nakul Singh(petitioner). On search, one country made pistol, nine live cartridges, wine and mobile were recovered from their motorycycle.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. He has no concern with the alleged recovery or with the vehicle in question. He was simply a pillion rider of the alleged bike. No any incriminating article has been recovered from his conscious possession. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner has got no criminal antecedent and languishing in judicial custody since 2.5.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge, 1st Khagaria in connection with Alauli PS Cae No. 180 of 2023.

(Sunil Kumar Panwar, J)

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