

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54429 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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BIPIN SINGH @ VIPIN KUMAR S/o Late Rajendra Singh R/o Village-
Manjhaul Bajraha Tola, Ward N. 13, P.S.-Cheriya Bariyarpur (Manjhaul O.P.),
District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-08-2023 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 of the Indian Penal Code and Sections 25(1-b)a, 26 (ii), 35, 27 of the Arms Act.

As per prosecution case, the petitioner was apprehended on the spot and from whose possession one country made pistol and one live cartridge were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of the petitioner which does not get



evidentiary value in the eye of law. The petitioner has no concern with the alleged recovery rather the recovered article is planted one. The seizure list has not been prepared as per provision of Section 100 of the Cr.P.C.. It is further submitted that the petitioner is languishing in judicial custody since 18.03.2023.

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 Cheriya Bariyarpur P.S. Case No. 58 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 ACJM-Ist Manjhaul, Begusarai.

(Sunil Kumar Panwar, J)

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