

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53638 of 2023

Arising Out of PS. Case No.-242 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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SAURABH KUMAR @ MUKHIYA SON OF BABLOO MAHTO
RESIDENT OF VILLAGE- PACHANMBA, WARD NO. 16, PS-
MUFFASIL (SINGHAUL OP),DISTT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar

For the Opposite Party/s : Mr.Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 399, 402 of the Indian
Penal Code and Sections 25(1-b)a, 26/35 of the Arms Act.

3. As per prosecution case, on receiving secret
information that some miscreants are assembled and planned to
commit a crime, thereafter the police party reached there and
there has been recovery of one country-made pistol and two live
cartridges from the possession of the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has apprehended on spot and



he has no concern with the alleged arms and cartridges, which were seized by the police. On the basis of suspicion, petitioner has implicated in the present case by the police due to his criminal antecedents. The provision of Section 100 of the Cr.P.C. has not followed in this case, while preparing the seizure list. He is languishing in judicial custody since 29.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 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 Court below in connection with Begusarai Muffasil P.S. Case No. 242 of 2023.

(Sunil Kumar Panwar, J)

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