

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54246 of 2023

Arising Out of PS. Case No.-234 Year-2023 Thana- HARSIDHI District- East Champaran

Subhash Sahani @ Subhash Kumar Choudhary Son Of Ramsagar Sahani
R/O-Kobeya, Kanhi Tola, P.S.-HARSIDHI, Distt.-EAST Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Majid Mahboob Khan

For the Opposite Party/s : Mr.Binod Kumar

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.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 25(1-b)a, 26, 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 along with a mobile 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. It is further submitted that the petitioner is languishing in judicial custody since 09.04.2023

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 Harsidhi P.S. Case No. 234 of 2023 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 Chief Judicial Magistrate, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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