

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50427 of 2023

Arising Out of PS. Case No.-204 Year-2023 Thana- SARAIYA District- Muzaffarpur

Vikash Kumar Son Of Chandeshwar Singh Resident Of Village- Aswari
Banjariya, Ps- Kathaiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Prem Kumar Jha

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.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 414/34 of the Indian Penal Code and section 25 (1-B)a, 26,35 of the Arms Act.

3. Prosecution case relates to recovery of one country made pistol loaded with one cartridge, one mobile, one motorcycle and knife was recovered from possession of the co-accused Dilip Kumar. Petitioner and co-accused Dilip Kumar both were apprehended on spot.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. On refusal to be the witness of the seizure list, petitioner has been



dragged in the false case. The alleged recovery is said to be recovered from possession of co-accused Dilip Kumar and not from the petitioner. 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 12.4.2023.

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, 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 ACJM IV, Muzaffarpur (West) in connection with Saraiya P.S. Case No. 204 of 2023.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

