

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49567 of 2023

Arising Out of PS. Case No.-390 Year-2022 Thana- SONBERSA District- Sitamarhi

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SURAJ KUMAR SON OF SAHDEO MAHTO RESIDENT OF VILLAGE -
JAINAGAR, P.S. - SONBARSA, DISTRICT – SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Namrata Mishra

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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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 regular bail in a case
instituted for the offence under Sections 25(1-b)a, 26 and 35 of
the Arms Act.

3. As per prosecution case, there has been recovery of
one loaded country-made pistol and one live cartridge from 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. The petitioner has no concern with the
alleged arms and cartridges, which were seized by the police.
Only on the basis of suspicion, petitioner has implicated in the
present case by the police. There is a major difference between



the allegation made in the prosecution case and the contents of the seized articles, which is mentioned in the seizure list. He is languishing in judicial custody since 28.10.2022.

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 the 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 Sonbersa P.S. Case No. 390 of 2022.

(Sunil Kumar Panwar, J)

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