

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51363 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- MUSRIGHRARI District- Samastipur

Ram Babu Kumar Son Of Ram Dev Prasad Resident Of Village - Kanu
Vishnupur, Police Station Khanpur, District - Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-10-2023 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 399,402, 467, 468, 412, 420, 120(B) of the Indian Penal Code and Sections 25(1-B)(a), 26, 35 of the Arms Act.

3. It is a case of assembling for preparation of the commission of the offence and petitioner was apprehended on the spot from whose possession one loaded country made pistol and Rs. 7,000/- were recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He has no concern with alleged recovery of arm which



was seized by the police. So far recovery of Rs. 7,000/- is concerned, it is stated that the recovered amount is his own money. In fact, the petitioner was going to the house of relative on the occasion of marriage, but in the way police apprehended him. During investigation, none of the independent witnesses has supported the prosecution case. Petitioner is languishing in judicial custody since 13.04.2023.

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 Judicial Magistrate 1st Class, Samastipur in connection with Musrigharari P.S. Case No.53 of 2023.

(Sunil Kumar Panwar, J)

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