

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53744 of 2023

Arising Out of PS. Case No.-144 Year-2023 Thana- CHHATAUNI District- East Champaran

HARENDRA SAH @ HARENDRA PRASAD SON OF LATE GULZAR
SAH @ GULJAR SAH RESIDENT OF VILLAGE - BARA BARIYARPUR,
P.O. AND P.S. - CHHATAUNI, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-10-2023 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 of the Arms Act.

The prosecution case relates to recovery of one country made pistol and one live cartridge 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 due to dirty village politics. The petitioner has no concern with alleged arms which were seized by the police. Both the seizure list witnesses



are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The petitioner is languishing in judicial custody since 20.03.2023.

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 Chhatauni P.S. Case No. 144 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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