

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54648 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- RAHIKA District- Madhubani

Rupesh Paswan Son Of Dukhran Paswan Resident Of Village - Jagatpur,
Dakshinwari Tol, P.S. - Rahika, District - Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Bharti

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 412 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

3. According to the FIR, prosecution case relates to recovery of one loaded country made pistol along with one live cartridge from possession of the petitioner. Further, 1000/- cash has also been recovered which is said to be looted money.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concerned with the alleged arms seized by the police. It is also submitted that the recovered cash of Rs. 1000/- is not looted



money rather the same belongs to the petitioner which was kept by him for personal use. It is further submitted that the seizure list witness are police officials, not a single independent witness which violates section 100 of Cr.P.C. Moreover, he is languishing in judicial custody since 21.4.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Rahika P.S. Case No. 76 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Madhubani.

(Sunil Kumar Panwar, J)

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