

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54995 of 2023

Arising Out of PS. Case No.-137 Year-2023 Thana- TRIVENIGANJ District- Supaul

Shambhu Sah Son Of Mishrilal Shah Resident Of Village - Garha Rampur
Ward No.7, P.S. - Shankarpur, District - Madhpura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava
For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-11-2023 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 399/402 of the IPC and
Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, there has been recovery of
two country-made pistols and six live cartridges 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 and due to his criminal
antecedents, petitioner has implicated in the present case by the



police. Further, it is submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 30.08.2023 passed in Cr. Misc. No. 55252 of 2023. He is languishing in judicial custody since 07.04.2023.

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 the period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. 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 Sessions Judge, Supaul in connection with Triveniganj P.S. Case No. 137 of 2023.

(Sunil Kumar Panwar, J)

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