

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56338 of 2023**

Arising Out of PS. Case No.-51 Year-2023 Thana- MATIHANI District- Begusarai

Haribhajan Kumar Son Of Pankaj Kumar Village Shankarpur Bakhadda Ps  
Matihani District Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      10-10-2023                      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 Section 120B of the Indian Penal  
Code and Sections 25(1-b)A, 26 and 35 of the Arms Act.

3. As per prosecution case, on receiving a secret  
information that one person kept illegal weapon with him  
thereafter the police personnel reached at that place. One person  
apprehended and there has been recovery of one loaded country-  
made pistol and two live cartridges from the waist the petitioner,  
one mobile phone and other article.

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. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. The provision of Section 100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. He is languishing in judicial custody since 18.04.2023.

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. 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, Begusarai in connection with Matihani P.S. Case No. 51 of 2023.

**(Sunil Kumar Panwar, J)**

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