

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56977 of 2023

Arising Out of PS. Case No.-266 Year-2023 Thana- BARAUNI District- Begusarai

NITISH KUMAR SON OF SONELAL YADAV RESIDENT OF VILLAGE -
PIPRA DEWAS, P.S. - BARAUNI, DISTRICT - BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 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 25(1-b)a, 26(i)(ii) and
35 of the Arms Act.

3. As per prosecution case, there has been recovery of
one loaded country-made pistol and one live cartridge from the
possession of 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, petitioner has falsely implicated
in the present case by the police. The provision of Section 100



of the Cr.P.C. has not followed in this case. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 26.05.2023.

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 Court below in connection with Barauni P.S. Case No. 266 of 2023.

(Sunil Kumar Panwar, J)

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