

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58300 of 2023

Arising Out of PS. Case No.-480 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Tullu Kumar @ Avinash Kumar Son Of Surendra Paswan Resident Of
Bhikhanpur, P.S.-Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Syed Firoz Raza

For the Opposite Party/s : Mr.Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2.The petitioner has prayed for regular bail in a
case registered for the offence punishable under sections 414
and 34 of the Indian Penal Code and Sections 25(1-b)a, 26
and 35 of Arms Act.

3. As per prosecution case, there has been recovery
of one mobile phone from the possession of this petitioner
and from other co-accused person, there has been recovery of
one country made pistol along with one live cartridge.

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. Nothing incriminating weapon has been recovered from the conscious possession of the petitioner and the recovery of said mobile phone is not the stolen one rather it was purchased by the petitioner itself and in support of this, Annexure-3 which is purchase paper of the mobile has been annexed in this petition. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 24.08.2023 in Cr. Misc. No. 54142 of 2023. Moreover, the petitioner is languishing in judicial custody since 15.06.2023.

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 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 Town P.S. Case No. 480 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 Chief Judicial Magistrate, Muzaffarpur.

(Sunil Kumar Panwar, J)

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