

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58912 of 2023

Arising Out of PS. Case No.-584 Year-2022 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Himanshu Raj @ Ayushman Kumar @ Monu @ Himanshu Shekhar S/O
Arvind Kumar Singh Village- Patani, Ps- Ramgarhwa, Dist- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan
For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 412 of the IPC and Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per prosecution case, the co-accused persons were apprehended on the spot and from their possession country made pistols, cash, live cartridges, and mobiles were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of confessional statement of co-accused. The petitioner has no



concern with the alleged recovery and seizure list has not been prepared as per provision of Section 100 of the Cr.P.C.. It is further submitted that nothing incrimination article has been recovered from his conscious possession. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 21.07.20213 passed in Cr. Misc. No. 27723 of 2023. The petitioner has been languishing in judicial custody since 01.05.2023.

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

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 Muzaffarpur Sadar P.S. Case No. 584 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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