

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59982 of 2023

Arising Out of PS. Case No.-441 Year-2023 Thana- SONEPUR District- Saran

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Nitesh Kumar @ Chhotu S/O Vakil Ray R/O Village- Chitarsenpur, Ps.
Sonpur, Dist. Chapra (Saran)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rama Kant Singh
For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 441/34 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act.

3. According to the FIR, all accused persons including the petitioner were apprehended on spot by police and from possession of this petitioner, one country made pistol is said to have been recovered.

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. The petitioner has no concerned with the alleged arms seized by the police. It is



further submitted that the seizure list witness are police officials, not a single independent witness which violates section 100 of Cr.P.C. He has got no criminal antecedent as stated para-3 of the bail petition and languishing in judicial custody since 4.6.2023.

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 period 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 Sonpur P.S. Case No. 441 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 C.J.M., Chhapra at Saran.

(Sunil Kumar Panwar, J)

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