

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59137 of 2023

Arising Out of PS. Case No.-87 Year-2023 Thana- BITHAN District- Samastipur

AMARJEET KUMAR son of Arjun Mahto Village- Pusaho Ps- Bithan
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Rita Verma

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 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 co-accused Amresh Kumar.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has apprehended on spot.
Petitioner has no concern either with the co-accused person or
with the incriminating articles which were seized from the co-
accused. He submitted that the petitioner had gone to purchase



vegetables from the market and the co-accused had taken a lift on his bike. No incriminating article has been recovered from the conscious possession of the petitioner. Only on the basis of suspicion, petitioner has implicated in the present case by the police. He is languishing in judicial custody since 02.07.2023.

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 Bithan P.S. Case No. 87 of 2023.

(Sunil Kumar Panwar, J)

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