

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62354 of 2023**

Arising Out of PS. Case No.-89 Year-2023 Thana- ASHTHAWAN District- Nalanda

Raju Choudhari Son Of Late Rambalak Choudhari Resident Of Village -  
Akbarpur, P.S. - Asthawan, District - Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      05-10-2023                      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 25(1-b)a, 26, 35 of the Arms Act.

3. According to the FIR, the petitioner is alleged to have been apprehended on spot from whose possession, one country made pistol along with a live cartridge was 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. It is further submitted that the petitioner is languishing in judicial custody since 4.4.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner was apprehended on spot.

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 him on bail. The above named petitioner is directed to be released on bail in connection with Asthawan P.S. Case No. 89 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 Judicial Magistrate 1<sup>st</sup> Class, Biharsharif, Nalanda.

**(Sunil Kumar Panwar, J)**

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