

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61702 of 2023

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

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AMRESH KUMAR son of Ram Dosh Matho @ Ram Darsh Mahto Village-
Telni Ps- Bithan Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purushotam Sharma

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 15-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per allegation in the FIR, during vehicle checking, one motorcycle was intercepted and co-accused Amarjeet Kumar and the petitioner were arrested on spot. On search, one loaded country made gun with one live cartridge was recovered from the pant of the petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Seizure list does not bear the signature of the petitioner. The seized motorcycle belongs to the petitioner. Similarly situated accused



person, namely, Amarjeet Kumar has already been enlarged on bail by this Court vide order dated 8.9.2023 passed in Cr. Misc. No. 59137 of 2023. Petitioner has got no criminal antecedent and languishing in judicial custody since 2.7.2023.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail **after framing of charge**, if not framed, 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 Judicial Magistrate 1st Class, Rosera in connection with Bithan P.S. Case No. 87 of 2023.

(Sunil Kumar Panwar, J)

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