

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61906 of 2023

Arising Out of PS. Case No.-239 Year-2023 Thana- BIDUPUR District- Vaishali

MD. SAHIL SON OF LATE MD. ALLAUDDIN VILLAGE-
DAUDNAGAR, PS- BIDUPUR, DIST- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-11-2023 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 399 and 402 of the Indian Penal Code and sections 25 (1-b) a, 26, 35 of the Arms Act.

Prosecution case relates to gathering of antisocial elements for hatching a conspiracy. Acting on a tip off, police party proceeded towards the place of occurrence and apprehended three accused persons who disclosed that they are making plan to commit dacoity. On search, one live cartridge with .315 bore live cartridge was recovered from possession of the petitioner.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. Seizure list is a computer typed report, from which it appears that the same is not prepared on place of occurrence. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 18.04.2023.

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 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 CJM, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 239 of 2023.

(Sunil Kumar Panwar, J)

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