

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62297 of 2023**

Arising Out of PS. Case No.-48 Year-2022 Thana- HASANPUR District- Samastipur

1. Anmol Kumar S/O- Rajendra Yadav Village- Sihma Ps- Bithan Dist- Samastipur
2. Santosh Paswan Son Of Suraj Paswan Village- Sihma Ps- Bithan Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
Mr. Pravin Kumar
For the Opposite Party/s : Mr.Harendra Prasad

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

2 20-09-2023 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners have prayed for regular 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, 25(1-A) of the Arms Act.

3. As per prosecution case, the petitioners were apprehended on the spot and from the possession of the petitioner No-1, one country made pistol, one mobile and from petitioner No-2, one country made pistol, one mobile and a black colour pulsar motorcycle were recovered.

4. Learned counsel for the petitioners submit that



the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to high handedness of the police officials. The petitioners have no concern with the alleged recovered arms rather petitioner No-2 is owner of the seized motorcycle. The seizure list has not been prepared as per provision of Section 100 of the Cr.P.C.. It is further submitted that the petitioners are languishing in judicial custody since 26.02.2022.

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 of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Hasanpur P.S. Case No. 48 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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