

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63599 of 2023**

Arising Out of PS. Case No.-303 Year-2023 Thana- VAISHALI District- Vaishali

Md. Talim S/O Md. Ainul Village Prasadh Nagar, Ps And District Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Jagdhari Prasad

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

2 09-10-2023 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 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per FIR, the petitioner along with co-accused persons was apprehended on the spot when they were assembled to commit an offence. It is further alleged that upon search one big knife was recovered from the possession of the petitioner and from co-accused persons other articles were also recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. The petitioner has no concern with the alleged recovery rather he has falsely been implicated in this present case due to suspicion and high handedness of the police officials. No complaint case has been lodged against the petitioner for any offence. It is further submitted that Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioner is languishing in judicial custody since 15.07.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Vaishali P.S. Case No. 303 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-Ist, Class, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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