

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63566 of 2023**

Arising Out of PS. Case No.-839 Year-2022 Thana- ALAMGANJ District- Patna

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Amit Kumar @ Chhotu S/O Kishor Kumar Gupta @ Brij Kishor Gupta R/O
Meena Bazar, Thatara Gali, In Front Of Corporation, Renter In The House Of
Ram Naresh, P.S- Alamganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

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**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 bail in a case
registered for the offence punishable under section 414 of the
IPC and Section 25(1-b)a, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, on seeing the police
party on the western road adjacent to the Badi Patandevi, five
accused persons tried to escape but on chase they were
apprehended including the petitioner. From possession of the
petitioner, one loaded country made pistol, thirteen live
cartridges and one mobile phone were recovered.

4. It is submitted by learned counsel for the petitioner
that petitioner is innocent and has committed no offence. He has



been falsely implicated in this case due to his previous criminal antecedents. He has no concern with alleged arms which were seized by the police. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. The other co-accused namely, Md. Raja @ Kallu has already been enlarged on bail by another coordinate Bench of this Court vide order dated 17.05.2023 passed in Cr. Misc. No. 22825 of 2023. Petitioner is languishing in judicial custody since 27.10.2022.

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 A.C.J.M.-IV, Patna City, Patna in connection with Alamganj P.S. Case No. 839 of 2022.

(Sunil Kumar Panwar, J)

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