

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65614 of 2022

Arising Out of PS. Case No.-144 Year-2022 Thana- SHYAMPUR BHATHA District-
Sheohar

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AWADHESH RAI S/O RANJIT RAI Resident of Village- Tajpur, P.S.-
Sheohar, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 414, 411, 34 of the Indian Penal Code and Sections 25(1-B)a, 26, 35 of the Arms Act.

The prosecution case, in brief, is that the informant along with police personnel raided the house of the petitioner and recovered one court made pistol with two live cartridges from under the bed. Accordingly, the seizure list has been prepared in accordance with law.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The petitioner has no concern with the alleged arms which was seized by the police. The name of the petitioner has come into light in the present case only on the basis of co-accused namely, Guddu Rai and Madan Rai which has got no evidentiary value in the eye of law. It is further submitted that the petitioner is languishing in judicial custody since 12.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 released on bail in connection with Shyampur Bhathan P.S. Case No. 144 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 1st Additional Sessions Judge-cum-Special Judge, Sheohar.

(Sunil Kumar Panwar, J)

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