

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64827 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- WARISLIGANJ District- Nawada

RAHUL KUMAR S/O MAHESH KUMAR SINGH R/O VILLAGE-
ONAMA, PS. SHEIKHOPUR SARAI, DIST. SHEIKHPURA, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Richa

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-11-2023 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 25(1-b)A, 26 of Arms Act.

3. According to the FIR, the petitioner is said to have been apprehended and from whose possession, one country made pistol, one live cartridge along with other articles were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on basis of suspicion. The petitioner has no concerned with the alleged arms seized by the police. It is further submitted that the seizure list witness are



police officials, not a single independent witness which violates section 100 of Cr.P.C. It is further submitted that this case is triable by court of Judicial Magistrate. Moreover, the petitioner is languishing in judicial custody since 16.7.2023.

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 period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with Warisaliganj P.S. Case No. 351 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 Additional Chief Judicial Magistrate, 2nd Nawada.

(Sunil Kumar Panwar, J)

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