

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65110 of 2022

Arising Out of PS. Case No.-366 Year-2022 Thana- SHASTRINAGAR District- Patna

RAJNISH KUMAR Son of Sri Ramanuj Singh R/V- Sohra, P.O- Bihta, P.S- Naubatpur, Distt- Patna at present tenant in the house of Late kailash Singh near at HRDT Public School Shivpuri, Road No. 1, P.S- Shastri Nagar, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Prem Kumar Jha

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 sections 25(1-b)a, 25(1)(AA), 26 and 35 of the Arms Act.

The prosecution case, in brief, is that when the informant along with police personnel were on patrolling duty, got information that some miscreants were gathered for committing offence thereafter, they raided the place of occurrence and arrested the petitioner along with co-accused. On search they recovered one country made pistol with four live cartridges from the possession of this petitioner. 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 or with the co-accused persons. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 27.6.2022.

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 Shastri Nagar P.S. Case No. 366 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 A.C.J.M.-IX, Patna.

(Sunil Kumar Panwar, J)

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