

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69248 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- BHAWANIPUR District- Purnia

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SURAJ KUMAR S/O FANILAL MANDAL R/O VILLAGE- LAXMIPUR
LALCHAND, WARD NO. 03, P.S- BIHARIGANJ, DISTT.- MADHEPURA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2023 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 413, 414, 34 of the IPC and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per FIR, the petitioner was apprehended on the spot while he along with other was assembled to commit an offence. On search one country made pistol along with one live cartridge were recovered and from the place of recovery one motorcycle was also recovered.

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



committed no offence. He has falsely been implicated in this present case merely on the basis suspicion. The petitioner has no concern with the alleged recovery and he has also no concern with the alleged recovered motorcycle rather he has been made accused in this case due to high handedness of the police officials. It is further submitted that seizure list has not been prepared as per provision of law. The petitioner is languishing in judicial custody since 07.03.2023.

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 Bhawanipur Akbarpur O.P. P.S. Case No. 55 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 CJM Purnea.

(Sunil Kumar Panwar, J)

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