

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68803 of 2023

Arising Out of PS. Case No.-105 Year-2023 Thana- MAKER District- Saran

CHHOTU NUT son of Vital Nut R/o- Chitkohra Pul Ke Niche Jagjivan Nagar
Ps- Sachivalya Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-12-2023 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 279, 357, 338, 332, 333, 413, 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per FIR, when the informant along with other police personnel was on patrolling duty, in the meantime, one Scorpio was coming and when they tried to stop the vehicle to check, then all accused persons including the petitioner run away after leaving the vehicle in this occurrence one police officials also got injured. Thereafter search was conducted



and from the alleged vehicle one liter country made liquor, one country made pistol along with one live cartridge, house breaking tools and Scorpio vehicle were 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 was also not apprehended on the spot rather he has been made accused in this case due to high handedness of the police officials. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 01.09.2023.

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 Maker P.S. Case No. 105 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 2nd Exclusive Special Excise Judge, Saran at Chapra.

(Sunil Kumar Panwar, J)

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