

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70484 of 2023

Arising Out of PS. Case No.-193 Year-2023 Thana- BARUN District- Aurangabad

ANAND KUMAR SON OF SUNIL THAKUR @ SUNIL SHARMA
VILLAGE- BANK, P.S.- ANKODHI GOLA, DISTRICT -ROHTAS, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 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 and 35 of Arms Act.

3. Prosecution case relates to recovery of golden chain from the possession of the petitioner.

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 by the police merely on suspicion. No any incriminating weapon has been recovered from the possession of the petitioner only gold chain has been recovered for which a separate case has been lodged so Section 25 (1-B)a/26/35 of Arms Act is not made out against the



petitioner. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. The other co-accused namely, Titu Kumar @ Sudarshan Kumar has already been enlarged on bail by this Court vide order dated 09.10.2023 passed in Cr. Misc. No. 62790 of 2023. Moreover, he is languishing in judicial custody since 05.05.2023.

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 of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barun P.S. Case No. 193 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 Chief Judicial Magistrate, Aurangabad.

(Sunil Kumar Panwar, J)

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