

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70495 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- SAHAR District- Bhojpur

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ARUN KUMAR Son of Late Yogendra Rai R/o vill - Baruhi, P.S. - Sahar,
Dist.- Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Navin Kumar Singh, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 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. According to the FIR, prosecution case relates to recovery of one loaded country made pistol and one live cartridge from 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. 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 the petitioner is languishing in judicial custody since 15.01.2023.

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 in connection with Sahar P.S. Case No. 05 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 Judicial Magistrate- 1st Class, Ara at Bhojpur.

(Sunil Kumar Panwar, J)

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