

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71700 of 2022

Arising Out of PS. Case No.-141 Year-2022 Thana- MAIRWAN District- Siwan

Birendra Dubey S/O Late Sitaram Dubey R/O Village- Seni Chhapar, P.S.-
Mairwa, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Mairwa P.S. Case No. 141 of 2022 registered under sections 25 (1-b)a, 26, 35 and 27 of the Arms Act.

Prosecution case relates to recovery of one rifle and nine live cartridges as well as one country made pistol from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The petitioner has no concern with the alleged offence. It is further submitted that the recovered licensee rifle belongs to this



petitioner and he is owner of the recovered rifle and this fact is supported by Annexure-2 which is annexed with this petition. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 09.12.2022. in Cr. Misc. No. 50626 of 2022. The petitioner is languishing in judicial custody since 08.04.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Mairwa P.S. Case No. 141 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VII, Siwan.

(Sunil Kumar Panwar, J)

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