

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72602 of 2022

Arising Out of PS. Case No.-355 Year-2022 Thana- KOTWALI District- Munger

Shankar Sao S/O Late Ashok Sao R/O Mohalla- Dumari, P.S.- Punpun,
District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nikhil Singh

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-B)a, 26(i)(ii)/35 of the Arms Act.

Allegation against the petitioner along with co-accused persons that while they were assembled and preparing for committing offence, the police party raided the place of occurrence and arrested them. On search, one country made pistol along with five cartridges were recovered from the possession of the co-accused Manish Raj and cash of Rs. 19,500/- and 15 cartridges from possession of this 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. The petitioner has no concern with the alleged arms which was seized by the police. It is further submitted that without any independent witness, police seized incriminating articles which is complete violation of Section 100 of Cr.P.C. Moreover, the petitioner has got no criminal antecedent and languishing in judicial custody since 29.7.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 Kotwali (Town) P.S. Case No. 355 of 2019 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, Munger.

(Sunil Kumar Panwar, J)

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