

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76497 of 2023

Arising Out of PS. Case No.-1189 Year-2022 Thana- SHERGHATI District- Gaya

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BALI BHUIYAN @ BALI MANJHI S/O- LATE FAKIRCHAND MANJHI
R/O- VILLAGE- MAHBATAPUR, P.S.- SHERGHATI, DIST.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2023 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 399, 402 of the IPC and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per FIR, the petitioner was apprehended on the spot and from his possession one country made pistol, one live cartridge and one mobile phone were recovered.

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 recovery of arms which were



seized by the police. The seizure list has not been prepared as per provision of Section 100 of the Cr.P.C. Similarly situated co-accused Pintu Singh has already been granted bail by this Bench vide order dated 04.07.2023 passed in Cr. Misc. No. 38129 of 2023. Moreover, the petitioner is languishing in judicial custody since 17.12.2022.

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 Sherghati (Dhobi) P.S. Case No. 1189 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-Ist, Sherghati (Gaya).

(Sunil Kumar Panwar, J)

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