

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.440 of 2023**

Arising Out of PS. Case No.-324 Year-2021 Thana- OBRA District- Aurangabad

SANNI KUMAR @ RAJU S/o Sanjay Singh R/v- Kharona, P.S.-  
Bhagwanganj, District- Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raj Shekhar

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      27-03-2023                      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 section 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of 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. Upon search, one country made pistol along with one live cartridges was recovered from the possession of this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The



petitioner has falsely been implicated in this case by the police due to his criminal antecedent. The petitioner has no concern with the alleged arms which was seized by the police. It is further submitted that there is no any independent witnesses of seizure list which is completely violation of Section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 13.12.2021.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Obara P.S. Case No. 324 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad.

**(Sunil Kumar Panwar, J)**

Amandeep/-

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