

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78935 of 2023

Arising Out of PS. Case No.-292 Year-2023 Thana- MANJHAGARH District- Gopalganj

Arjun Kumar Chaurasiya @ Arjun Kumar Son Of Igrashan Chaurasiya R/O
Village/At- Sareya, Barhi Tola, Ward No.3, P.S.- Gopalganj Town, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 399, 402, 414 of the IPC and Section 25(1-b)a, 26 and 35 of the Arms Act and Section 8(C), 21(b) of NDPS Act.

As per allegation in the FIR, on getting secret information police party proceeded towards place of occurrence, and apprehended five accused persons including the petitioner. On search, three mobiles, one country made loaded pistol with one live cartridge and two live cartridge and 08 gram brown smack like substance from possession of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. He has been falsely implicated in this Case. No local person was made as a witness of the seizure list rather seizure list witnesses are police personnel. There is complete violation of provision of Section 100(3) of the Cr.P.C.. The recovered contraband smack like substance comes below the commercial quantity. Similarly situated co-accused has already been granted bail by this Court vide order dated 29.11.2023 passed in Cr. Misc. No. 75358 of 2023. Petitioner is languishing in judicial custody since 18.08.2023.

Learned APP appearing for the State has opposed the prayer of 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Distt. And Sessions Judge, Gopalganj in connection with Manjagarh P.S. Case No. 292 of 2023.

(Sunil Kumar Panwar, J)

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