

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81411 of 2023

Arising Out of PS. Case No.-574 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

TUTU RAI @ MINTU RAI S/O LATE LALU RAY @ LALU RAI
VILLAGE- CHHOTA TELPA, PS. CHAPRA TOWN, DIST. SARAN AT
CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 353, 307, 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27, and 35 of the Arms Act.

3. As per FIR, the petitioner was apprehended on the spot while he along with other was assembled to commit an offence. On search one country made pistol along with two loaded cartridges and one mobile phone were recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this



present case merely on the basis suspicion. The petitioner has no concern with the alleged recovery rather he has been made accused in this case due to high handedness of the police officials. It is further submitted that the seizure list has no been prepared as per provision of law. The petitioner is languishing in judicial custody since 28.07.2023. This case is triable by Judicial Magistrate.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Chapra Muffasil P.S. Case No. 574 of 2023 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, Saran at Chapra.

(Sunil Kumar Panwar, J)

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