

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78204 of 2023

Arising Out of PS. Case No.-94 Year-2023 Thana- SAHEBPUR KAMAL District- Begusarai

Bana Rai @ Banti Rai S/O Late Sikendar Rai R/O Village- Raghunathpur,
P.S- S.Kamal, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-12-2023 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 25(1-b)a, 26 of the Arms Act.

3. Prosecution case relates to recovery of one country made pistol along with 46 live cartridges has been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that there is no independent witness of the seizure list rather they are police personnel. Moreover, the petitioner is languishing in judicial custody since 10.04.2023.



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

6. 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 **after framing of charge if the charge is not framed** in connection with S.Kamal P.S. Case No. 94 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 Additional Chief Judicial Magistrate-IV, Begusarai.

(Sunil Kumar Panwar, J)

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