

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79764 of 2023

Arising Out of PS. Case No.-863 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Ayuash Kumar @ Suraj Kumar @ Ayush Kumar Son Of Umesh Prasad R/O
Village- Dronpur Belahiya, P.S.- Ahiyapur, Dist.- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-12-2023 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 section 25(1-b)a, 26, of the Arms Act.

3. As per FIR, the petitioner was apprehended on the spot and on search one country made loaded pistol and one mobile 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 Section 100 of the Cr.P.C. has not been followed while preparing the seizure list. The petitioner is languishing in judicial custody since 12.07.2023.

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 Ahiyapur P.S. Case No. 863 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 CJM, Muzaffarpur.

(Sunil Kumar Panwar, J)

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