

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5212 of 2023

Arising Out of PS. Case No.-441 Year-2022 Thana- PAROO District- Muzaffarpur

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Dhiraj Kumar Son Of Arvind Kumar Singh @ Arvind Kumar Resident Of
Village - Panchbhirwa, P.S.- Saraiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Pandey

For the Opposite Party/s : Mr. Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-04-2023 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 sections 399, 400 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, informant alleged that on getting secret information he along with police party reached Kamalpura Chowk and apprehended five accused persons along with this petitioner and during search from this petitioner about 7.6 mm loaded pistol and from co-accused persons also arms, ammunitions and other illegal articles were recovered.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither petitioner was arrested on the spot nor he was involved in the alleged crime. Seizure list prepared in the presence of police officials which does not follow Section 100 of the Cr.P.C. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 14.09.2022.

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 as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Paroo P.S. Case No. 441 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Muzaffarpur.

(Sunil Kumar Panwar, J)

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