

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82090 of 2023

Arising Out of PS. Case No.-897 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

SANJEET KUMAR @ SANJEET RAI S/O LATE BINDESHWAR RAI R/O
VILLAGE- JIYALAL CHOWK, SHEKHPUR, P.S- AHIYAPUR, DISTT.-
MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-12-2023 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, 35 of the Arms Act and Sections 8(c), 21B of the NDPS Act.

3. As per FIR, the petitioner was apprehended on the spot and on search one country made pistol along with one live cartridge, 14 pouches of smack weighing 6.30 gram 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 Section 50 of the Cr.P.C. has not been followed while preparing the seizure list and the recovered smack does not come within the purview of the commercial quantity. The petitioner is languishing in judicial custody since 20.07.2023.

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. 897 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 Sessions Judge-cum-Special Judge, Muzaffarpur.

(Sunil Kumar Panwar, J)

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