

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7779 of 2024

Arising Out of PS. Case No.-536 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Veer Chandra Rai @ Veeru S/o Ramvilas Ray R/o Vill - Dadpur Chaknur, P.S. - Muffasil, Dist. - Samastipur
 2. Md. Manni S/o Md. Alauddin R/o Vill - Dadpur Chaknur, P.S. - Muffasil, Dist. - Samastipur
 3. Nitish Kumar S/o Dilip Paswan R/o Vill - Dharampur, Ward No. - 27, P.S. - Town, Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-02-2024 Heard learned counsel for the petitioners, learned counsel
for the informant and learned APP for the State.

2. The petitioners seek regular bail in connection with Muffasil P.S. Case No. 536 of 2023 registered for the offence under Sections 149 and 385 of the IPC and Sections 25(1-B)A, 26 and 35 of Arms Act.

3. As per prosecution case, on getting information that petitioners assembled with other accused persons and constructing boundary wall forcefully adjacent to Delhi Public School the police party reached at the spot and apprehended the petitioners and recovered ten live cartridges and three mobile phones from their possession.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have no concern with the seized cartridges. Nothing has been recovered from the conscious possession of the petitioners rather it has been planted by the police. Due to the civil dispute one Vinay Rai with the connivance of the police party falsely transplanted the live cartridges with petitioners. Both the seizure list witnesses are police personnel which is complete violation of provision of 100 Cr.P.C. It is further submitted that the petitioners are languishing in judicial custody since 20.12.2023.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Muffasil P.S. Case No.536 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Judge-V-cum-A.C.J.M.-II, Samastipur.

(Sunil Kumar Panwar, J)

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