

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17365 of 2024**

Arising Out of PS. Case No.-218 Year-2023 Thana- HUSSAINGANJ District- Siwan

Manish Kumar Yadav @ Manish Kumar @ Manish Yadav S/O Lalan  
Chaudhary R/O Bhagwan Tola, P.S- Uchakagaon, Distt.- Gopalganj.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      14-03-2024                      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 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of Arms Act.

3. According to the FIR, the petitioner is said to have been apprehended by police from whose possession, one country made pistol, two live cartridges as well as a mobile phone were recovered.

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. The petitioner has no concerned with the alleged arms seized by the police. It is further submitted that the seizure list witness are police officials,



not a single independent witness which violates section 100 of Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 2.9.2023.

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 period, 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 not framed** in connection with Hussainganj (M.H. Nagar) P.S. Case No. 218 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 A.C.J.M. IX, Siwan.

(Sunil Kumar Panwar, J)

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