

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31179 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- BIBHUTIPUR District- Samastipur

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Saurabh Suman @ Alien Son of Ram Yatan Kumar R/o Village- Khokshaha,
Ward No.14, P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra
For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 399 and 402 of the

Indian Penal Code and Sections 25(1-b)a, 26 and 35 of

the Arms Act.

As per prosecution case, the petitioner was

apprehended on the spot and from his possession one

country made pistol was recovered.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. He has no concern with alleged arm which was seized by the police. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. The petitioner is languishing in judicial custody since 09.05.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bibhutipur P.S. Case No. 163 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub



Divisional Judicial Magistrate, Rosera, Samastipur.

(Sunil Kumar Panwar, J)

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