

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58666 of 2024

Arising Out of PS. Case No.-133 Year-2023 Thana- PARSAUNI District- Sitamarhi

Saroj Kumar, Male, aged about 35 years, Son of Nagendra Singh, Resident of Village- Ram Nagara, Ward No. 12, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 09-08-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail registered for the offence under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the arms Act.

3. As per the prosecution case, it is a case of recovery of some arms from the accused persons.

4. Learned counsel for the petitioner has submitted that petitioner has falsely been implicated in this case. He next submits that petitioner has got clean antecedent and he is in custody since 03.10.2023. Similarly situated co-accused persons namely, Laxman Raut, Sunil Kumar @ Sunil Kushwaha and Sujeet Kumar @ Sujeet Patel @ Vaner Sena @ Sujit Kumar



have been granted bail by this Court passed in Cr. Misc. Nos. 19750 of 2024, 26798 of 2024 and 26768 of 2024 vide orders dated 27.03.2024 and 18.04.2024, respectively.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, seizure list and impugned order dated 29.07.2024, it appears that one country made pistol along with eight live cartridges were recovered but no independent witness of seizure list, in these circumstances, let the petitioner, above named, be directed to be released on bail in connection with Parsauni P.S. Case No.133 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Sitamarhi.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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