

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62852 of 2023

Arising Out of PS. Case No.-139 Year-2023 Thana- SIWAIPATTI District- Muzaffarpur

Subhash Kumar Son Of Mr. Surendra Ray Resident Of Village - Kodariya,
P.S. - Siwaipatti, District - Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 24-01-2024 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 413, 414 of I.P.C.
and Sections 25(1-b)a, 26, 35 of Arms Act.

It is a case of recovery of one country made
pistol, one live cartridges and one motorcycle from the
possession of the petitioner.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and he has



falsely been implicated in the present case due to high handedness of the police. There is no independent witness of the alleged seizure. The petitioner has no concern either with the alleged recovery. This case is triable by judicial magistrate. Moreover, the petitioner is languishing in judicial custody since 19.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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, **after framing of charge, if not framed** in connection with Siwaipatti P.S. Case No. 139 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, East, Muzaffarpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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