

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70572 of 2023

Arising Out of PS. Case No.-72 Year-2023 Thana- TARARI District- Bhojpur

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Jay Amar Kumar @ Suraj S/O Madan Ram R/O Village- Sara, P.S- Tarai,
Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar Singh
For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-01-2024 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under Section

414 of the Indian Penal Code and Sections 25(1-B) a,

26, 35 of the Arms Act.

There is recovery of one country made pistol

and one live cartridges from the possession of co-

accused Niraj Sah.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the arrested accused or seized arms or motorcycle. The petitioner is languishing in custody since 23.04.2023. A statement has been made in para 3 of the petition that petitioner is accused in three other cases apart from the present one in which, he is on bail. Moreover, co-accused Niraj Sah has already been granted bail vide order dated 10.01.2024 passed in Cr. Misc. No. 83909 of 2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail **after framing of charge, if the charge has still not been framed** and on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two



sureties of the like amount each to the satisfaction of
learned Judicial Magistrate, 1st Class, Bhojpur at Ara in
connection with Tarari P.S. Case No. 72 of 2023.

(Sunil Kumar Panwar, J)

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