

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70351 of 2023

Arising Out of PS. Case No.-139 Year-2023 Thana- BARAHAT District- Banka

Md. Parvez Ansari @ Md. Pravez Ansari Son Of Md. Israfil Ansari R/O
Village- Gangta, P.S.- Motiya, District- Godda (JHARKHAND)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-01-2024 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 sections 25(1-b)a, 25(1-A), 25(1-AA), 26(1)(2) and 35 of the Arms Act.

3. Prosecution case relates to recovery of one country made pistol and some semi prepared arms were recovered from possession of this petitioner. At his instance, house of co-accused was searched and semi prepared arms and tools were recovered from his house.

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. It is further submitted that petitioner has no concern with the seized materials. Similarly



situated other co-accused person has already been granted bail by this Court vide order dated 09.10.2023 in Cr. Misc. No. 63210 of 2023. Provision of Section 100 Cr.P.C. has not been followed by the police officials while preparing seizure list. Moreover, the petitioner is languishing in judicial custody since 25.06.2023.

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 of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barahat P.S. Case No. 139 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 Chief Judicial Magistrate, Banka.

(Sunil Kumar Panwar, J)

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