

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76601 of 2023**

Arising Out of PS. Case No.-191 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

Prince Kumar S/O Pankaj Jha @ Bhatu Jha Village- West Tola, Ward No.
11,Ps. Birpur, Dist. Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 27-02-2024 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, 26 and 35 of the Arms Act.

3. As per FIR, police team apprehended the petitioner along with other co-accused person while they were planning to commit crime and upon search from the petitioner, one country made pistol along with two live cartridges was recovered from the possession of this petitioner.

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 there is no independent witness of the seizure list rather they are



police personnel which violated the provision of Section 100 Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 19.03.2023.

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 **after framing of charge if the charge is not framed** in connection with Begusarai Town P.S. Case No. 191 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 C.J.M., Begusarai.

(Sunil Kumar Panwar, J)

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