

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85065 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- HATHAURI District- Samastipur

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Ashish Acharya Son Of Bipin Acharya R/O Village- Bekh Baliya, P.S.-
Biraul, District- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-01-2024 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
Sections 25(1-B) a, 26 of the Arms Act.

There is recovery of one country made pistol
along with magazine and a motorcycle from the
possession of the petitioner.

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 seized arms or motorcycle. The petitioner is languishing in custody since 23.05.2023. A statement has been made in para 3 of the petition that petitioner is accused in one other case apart from the present one.

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, Rosera, Samastipur in connection with Hathauri P.S. Case No. 79 of 2023.

(Sunil Kumar Panwar, J)

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