

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84699 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- BALIYA District- Begusarai

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RUPESH KUMAR S/O SURESH PASWAN @ BIJLI PASWAN R/O
VILLAGE- CHHOTI BALLIA, GACHHI TOLA, WARD NO.-2, P.S-
BALLIA, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-03-2024 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 section 25(1-
b)a, 26, of the Arms Act.

3. As per FIR, the petitioner was apprehended on the
spot when he along with other was assembled to commit an
offence. On search one country made pistol and one live
cartridge were recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this
present case merely on the basis suspicion. The petitioner has



no concern with the alleged recovery rather he has been made accused in this case due to high handedness of the police officials. It is further submitted that during preparation of seizure list, mandatory Section 100 of Cr.P.C., has not been followed. Moreover, the petitioner is languishing in judicial custody since 15.06.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Balia P.S. Case No. 157 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, Begusarai.

(Sunil Kumar Panwar, J)

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