

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85140 of 2023

Arising Out of PS. Case No.-409 Year-2023 Thana- BARUN District- Aurangabad

JOKHAN CHOUDHARY Son of Kesho Choudhary Resident of village
Khajurifarm P.S.- Barun District Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh

For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 25 (1-b)a/26 of the Arms Act.

3. Prosecution case relates to recovery of one country made carbine and three cartridges were recovered from the hut of the petitioner, which is situated near Son river.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Petitioner is a fisherman and he has not provided the fish to the police officials free of cost so they have roped him in the present case showing the false recovery against him. Provision of Section 100 CR.P.C. has not been followed by the police



officials while preparing the seizure list. Petitioner is languishing in judicial custody since 26.8.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Barun P.S. Case No. 409 of 2023.

(Sunil Kumar Panwar, J)

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