

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.357 of 2024

Arising Out of PS. Case No.-789 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

=====

Ashok Kumar @ Ashok Kumar Singh Son Of Late Kailash Mahto @ Kailash
Singh Resident Of Village - Virsahiya Singhia Ghat, P.S. - Bibhutipur, District
- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 401, 379, 413, 511 of the Indian
Penal Code and Sections 25(1-AA)a, 26(2) and 35 of the Arms
Act.

3. The prosecution case relates to recovery of one
country made pistol, one live cartridge and one mobile from the
possession of the petitioner.

4. It is submitted by learned counsel for the petitioner
that the petitioner is innocent and has committed no offence. He
has falsely been implicated in the present case. The petitioner



has no concern with alleged arms which were seized by the police. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. The petitioner is languishing in judicial custody since 13.08.2023.

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

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of 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 enlarged on bail in connection with Sadar P.S. Case No. 789 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

