

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86443 of 2023

Arising Out of PS. Case No.-500 Year-2023 Thana- BARAUNI District- Begusarai

Nagmani Kumar Son of Yogendra Paswan, R/o Village- Kirtaul, Ward no.-11,
P.S-Teghra, District-Begusarai(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghu Nath Singh

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-02-2024 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(i), 35 of Arms Act.

3. According to the FIR, the petitioner along with co-accused is said to have been apprehended with a motorcycle and from possession of this petitioner, one country made loaded pistol and a mobile phone were recovered.

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 due to previous enmity. The petitioner has no concerned with the alleged arms seized by the police. So far as seized motorcycle is concerned, the same



belongs to other FIR named accused Shambhu Kumar. It is further submitted that the seizure list witness are police officials, not a single independent witness which violates section 100 of Cr.P.C. The other co-accused namely, Chhotu Kumar has already been granted bail by this Bench vide order dated 16.01.2024 passed in Cr. Misc. No. 681 of 2024. Petitioner is languishing in judicial custody since 25.9.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail **after framing of charge**. The above named petitioner is directed to be released on bail in connection with Barauni (O.P. Zeromile) P.S. Case No. 500 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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