

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.681 of 2024

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

Chhotu Kumar Son of Shivo Paswan @ Shibu Paswan @ Shiv Narayan
Paswan Resident of Village- Mahna, (Nurpur) Ward No. 15, P.S. Barauni,
(Refinery O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kr Gautam

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-01-2024 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 live cartridge 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. The petitioner has no
concerned with the alleged arms seized by the police. And 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. He has got no criminal antecedent as stated para-3 of the bail petition and 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. The above named petitioner is directed to be released on bail in connection with Barauni 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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