

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67808 of 2024

Arising Out of PS. Case No.-54 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

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Pintu Kumar Son of Sushil Mahto R/V- Village- Khanjahanpur, Ward No. -08,
P.S.- Cheriya Bariyarpur, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

Ms. Rani Shashi Bharti, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 24-03-2025 Heard Mr. Bijay Bhushan Prasad, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, 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, 35, 25(1-A) of the Arms Act.

3. The case of the prosecution is that on secret information,
police reached at the house of Sangeeta Devi, seeing the police,
one lady and one male started fleeing away. The petitioner was
apprehended and from his possession in a bag, one 09 mm pistol,
three magazines and four country-made *katta* and as many as 46
live cartridges 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. He has got no criminal



antecedent. It is also submitted that from perusal of the seizure list, it will transpire that the place where seizure was made is the house of Sangeeta Devi whereas from perusal of the FIR, it is clear that seeing the police, the petitioner and the lady flee away. It is also submitted that the witnesses of the seizure list are official witnesses, they are not independent witnesses. The seizure list and FIR with regard to the place of seizure are contradictory. It is further submitted that the petitioner is languishing in judicial custody since 12.03.2024.

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

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 released on bail in connection with Cheria Bariyarpur P.S. Case No. 54 of 2024 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, Manjhaul, Begusarai.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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