

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72191 of 2024

Arising Out of PS. Case No.-133 Year-2023 Thana- PARSAUNI District- Sitamarhi

Raju Kumar @ Raja Son of Vaidhnath Mahto Village -Korabhim PS
-Parsauni, Distt -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh, Adv

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 31-01-2025 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail registered for the offence under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the arms Act.

3. As per the prosecution case, F.I.R. has been lodged against five named accused persons including the present petitioner and it is a case of recovery of some arms from the accused persons.

4. Learned counsel for the petitioner has submitted that petitioner has falsely been implicated in this case. He next submits that petitioner has got clean antecedent and he is in custody since 03.10.2023. He further submits that other co-



accused persons have been granted bail vide order dated 27.03.2024 in Cr. Misc. No. 19750 of 2024, vide order dated 18.04.2024 in Cr. Misc. No. 26798 of 2024, vide order dated 09.08.2024 in Cr. Misc. No. 58666 of 2024.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, seizure list and impugned order dated 29.08.2024, it appears that one country made pistol along with two live cartridges were recovered but no independent witness of seizure list, in these circumstances, let the petitioner, above named, be directed to be released on bail in connection with Parsauni P.S. Case No.133 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Sitamarhi.

(Ramesh Chand Malviya, J)

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