IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42360 of 2018

Arising Out of PS. Case No.-336 Year-2017 Thana- CHANPATIA District- West Champaran

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Bhola Mahto, Son of Shahijee Mahto, Resident of Village- Bankatwa Parau Tola, Police Station- Lauriya, District- West Champaran.

... ... Petitioner/s

Versus

The State of Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Mr. Sri Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

2 13-07-2018 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner, already in custody, seeks bail in connection with Chanpatia P.S. Case No.336 of 2017 registered under Sections 25(1-b)a, 26, 35 of the Arms Act.

Allegation in brief is that the police apprehended the petitioner and others while taking liquor behind the bush and from petitioner's possession one country made pistol with one live cartridge were recovered.

Learned counsel for the petitioner submits that recovery of arms from petitioner's possession is false and fabricated, three cases were instituted against the petitioner by the police for the same occurrence under the Excise Act and Sections 399 and 402 of the Indian Penal Code besides the

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present one, petitioner has remained in custody for nine months approximately and prior to this, the petitioner has no case instituted against him.

Having considered the aforesaid facts and circumstances as well as the period of custody, petitioner Bhola Mahto is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-V, Bettiah, West Champaran in connection with Chanpatia P.S. Case No.336 of 2017.

(Arun Kumar, J)

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