

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48798 of 2018

Arising Out of PS.Case No. -24 Year- 2018 Thana -ROSHANGAANJ District- GAYA

=====

Rajendra Mahto @ Rajendra Prasad @ Sanjay Jee, Son of Ramdeo Mahto
Resident of Village - Bihargai, P.S. - Raushanganj, District - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Bharat Bhushan

=====

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 23-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 120(B), 399 and 402 of the Indian Penal Code, Section 25 (1-b)a, 26 and 35 of the Arms Act, Section 30(a) of the Bihar Prohibition and Excise Act, 2016 and Section 17 of the Criminal Law Amendment Act.

Petitioner and other accused persons are said to have congregated at the house of Sharwan Paswan for committing some offence and four persons including the petitioner were apprehended and others managed to escape. From possession of the petitioner, one loaded country made pistol is said to have been recovered while other arms and ammunitions were recovered from



the possession of the other apprehended accused. Apart from the aforesaid recovery, 25 litres of country made liquor is said to have been recovered from the house of Sravan Paswan.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized articles or with any naxal activity. He has been falsely implicated in this case by the police when he arrived at the place of occurrence noticing some commotion there as he has been made accused in some other case. Though one more criminal case has been lodged against the petitioner, but he is on bail in the aforesaid case. He has been languishing in custody since 24.02.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Gaya in connection with Raushanganj (Banke Bazar) P.S. Case No. 24 of 2018.

(Prakash Chandra Jaiswal, J)

Kr. Uday/-

U		T	
---	--	---	--

