

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20211 of 2019

Arising Out of PS. Case No.-8 Year-2019 Thana- SAHAR District- Bhojpur

Vinaketesh Mahto @ Vinakatesh Mahto, aged about 40 years, Male, Son of Late Maheshwar Singh, Resident of Village- Baruhi, P.S.- Sahar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shiv Prasad Gupta, Adv.
For the Opposite Party/s	:	Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-04-2019 The petitioner seeks bail in anticipation of his arrest in connection with Sahar P.S. Case No. 08 of 2019, dated 15.01.2019, instituted for the offences under Sections 25(1-B)A and 26 of the Arms Act.

The petitioner is alleged to have pointed a weapon at the informant and his two associates. From the F.I.R., it appears that the weapon so displayed by the petitioner was snatched from him and was handed-over to the police.

The learned counsel for the petitioner has submitted that the accusation in the F.I.R. is bizarre. If at all the petitioner would have been armed with a pistol, he would not have allowed the same to be snatched by the informant and his associates, who were not armed with any



weapon. The recovery of the firearm weapon, leading to the implication of the petitioner, is at the instance of a private party and it requires to be investigated whether the allegation is correct or has been conjured-up for the purposes of falsely framing the petitioner.

Regard being had to the facts aforestated and the clean antecedents of the petitioner, he, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Sahar P.S. Case No. 08 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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