

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74695 of 2019**

Arising Out of PS. Case No.-285 Year-2019 Thana- BIHARIGANJ District- Madhepura

AJAY KUMAR MAHATO @ AJAY MAHATO S/o Raj Kumar Mahto R/o
village- Bihariganj, P.S.- Bihariganj, District- Madhepura (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar 1, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
22.08.2019 in a case registered for the offences punishable
under Sections 25(1-B)a/26/35 of the Arms Act.

It is alleged that from the possession of co-accused
Amit Mukhia, one loaded country made pistol and a used
cartridge was recovered, whereas, one live cartridge each was
recovered from the possession of co-accused, Mithilesh Kumar
and the petitioner Ajay Kumar Mahto.

It is submitted by learned counsel for the petitioner
that the petitioner has maliciously been framed in the present
case. A statement has been made in paragraph no.3 of the
petition that the petitioner is not having any criminal



antecedent.

Learned APP for the State submits that one live cartridge was recovered from the possession of the petitioner.

Considering the nature of recovery, period under custody, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 Judicial Magistrate, 1st Class, Uda-kishunganj (Madhepura), in connection with Bihariganj P.S. Case No. 285 of 2019.

(Dinesh Kumar Singh, J)

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