

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31463 of 2021

Arising Out of PS. Case No.-709 Year-2020 Thana- MAHUA District- Vaishali

MOHAN KUMAR Son of Shri Narayan Singh Resident of village -
Lakshamipur, P.S. - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-12-2021 Heard Mr. Anuj Kumar, learned counsel for the

petitioner and Mr. Surendra Kumar, Additional Public

Prosecutor for the State.

Petitioner seeks regular bail in connection with
Mahua PS Case No. 709/2020 registered for the offence
punishable under Sections 25(1-A), 25(1-AA), 25(1-B)a/26(1)
(2) (3)/35 of the Arms Act.

The allegation, as per First Information Report, is that
the police on the basis of secret information raided the house of
one Sunny Kumar and recovered some articles to be used in
manufacturing of fire arms and also recovered some partly
manufactured fire arms. It is further alleged that the petitioner
was arrested from the house of said Sunny Kumar along with
other accused persons.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he does not have any criminal antecedents. Learned counsel



further submits that no fire-arm has been recovered from the possession of the petitioner and from perusal of the seizure list, it appears that one mobile has been recovered from him by the police.

Learned counsel next submits that similarly situated co-accused, Rohit Raj has been granted bail by a Co-ordinate Bench of this Court *vide* Cr. Misc. No. 25102/2021.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused, Rohit Raj has already been granted bail by a Bench of this Court, petitioner is in custody since 18.12.2020 having no criminal antecedents, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, MOHAN KUMAR 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 Chief Judicial Magistrate, Vaishali, Hajipur in connection with Mahua PS Case No. 709/2020.

(Anil Kumar Sinha, J)

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