

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44057 of 2021**

Arising Out of PS. Case No.-360 Year-2020 Thana- BARAUNI District- Begusarai

Pankaj Kumar @ Pankaj Mahto S/O Kailash Mahto R/o village- Simariyaghat  
Bind Toil, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Randhir Kumar No.1

For the Opposite Party/s : Mr.Md. Matloob Rab

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

3. 02-11-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Barauni P.S. Case No. 360 of 2020, registered for the offence under Sections 307, 353, 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

As per the prosecution case, on a secret information that some miscreants have assembled and are planning to commit a crime, a raid was conducted and one Shravan Mahto was apprehended on spot and on search, one country-made pistol, one live cartridge, one fired cartridge and one Vivo mobile phone were recovered from his possession. The apprehended co-accused Shravan Mahto disclosed the name of petitioner and other four persons, who fled away from the spot.

It is submitted on behalf of petitioner that no incriminating article or any arms or ammunition has been



recovered either from the conscious possession of the petitioner or from his house. As per F.I.R. itself, petitioner has been made accused only on the basis of confessional statement of co-accused Shravan Mahto. The specific allegation of firing is not against this petitioner and he is in custody since 12.10.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody, the bail petition of petitioner is allowed. 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 1<sup>st</sup> Class, Begusarai in connection with Barauni P.S. Case No. 360 of 2020.

**(Prabhat Kumar Singh, J.)**

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