

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6944 of 2021**

Arising Out of PS. Case No.-598 Year-2019 Thana- BEGUSARAI MUFFASIL District-
Begusarai

=====

NAGO @ NAGINA MAHTO Son of Bimal Mahto Resident of Village-
Nagdah, P.S.- Muffasil, Distt- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv.
For the Opposite Party/s : Mr. Md. Sufiyan, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through Video
Conferencing from their residence.)

2 16-04-2021 The defect(s) as pointed out by the Office be removed by

the learned counsel for the petitioner within two months after
the High Court resumes its normal functioning.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offences
punishable under Sections 25(1-B)(a) 26, 30 of the Arms Act.

Allegation is recovery of one loaded country-made
pistol, four cartridges and three mobile phones from possession
of the petitioner.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has falsely been implicated in this
case due to ill motive. It has further been submitted that nothing



has been recovered from conscious possession of the petitioner but he has been dragged in the present case on the instance of one Raushan Kumar with whom petitioner has inimical term. Petitioner was arrested from his house in connection with Begusarai Town P.S. Case No. 105 of 2019 and he was also booked in the present case by the police. Petitioner carries one criminal antecedent bearing Begusarai Nagar P.S. Case No. 105 of 2019 and he is in custody since 15.11.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Muffasil (Singhaul) P.S. Case No. 598 of 2019, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(S. Kumar, J)

shahzad/-

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

