

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2019 of 2022

Arising Out of PS. Case No.-86 Year-2021 Thana- GHOSWARI District- Patna

Madhusudan Mahto, Son of Mughaj Mahto @ Mulhas Mahto, Resident of
Village - Samyagarh, P.S.- Ghoswari, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 19-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Ghoswari (Samyagarh OP) P.S. Case No. 86 of
2021, registered for the alleged offences under Sections 25(1-
B)a and 26 of the Arms Act.

As per prosecution case, the police received
information about the petitioner creating ruckus and having in
possession of a *Katta*. The police reached at the spot and
apprehended the petitioner and from his left waist, a country
made pistol was recovered.

The learned counsel for the petitioner submits that the



petitioner has been falsely implicated in this case and the prosecution case is not believable. There was dispute between the petitioner and his family members and under a conspiracy, he was handed over to the police. Nothing was recovered from the conscious possession of the petitioner. The charge sheet has been submitted in this case and the petitioner is in custody since 31.08.2021

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent of similar nature.

Perused the records.

Having regard to the facts and circumstances of the case and the submissions made on behalf of the parties and considering the submission of charge sheet along with the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Barh, Patna, in connection with Ghoswari (Samyagarh OP) P.S. Case No.86 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :



(i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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