

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24627 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- SAKRI District- Madhubani

Janak Mahto S/O Late Bechan Mahto R/O Village- Sohrai Ward No. 8,
Mohiuddinpur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr.A.G., APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 08-08-2022 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Sakari P. S. Case No.46 of 2022 for the offences punishable under Sections 25 (1-b) a/26 Arms Act.

As per the prosecution case, it is alleged that the police on secret information raided the house of the petitioner and on search one country made pistol was seized from the farm situated behind the house of the petitioner.

Learned counsel appearing on behalf of the petitioner



submits that nothing has been recovered from the person or possession of the petitioner. From the F.I.R, it is evident that the alleged firearm has been recovered behind the house of the petitioner which is accessible to all. It is further submitted that this petitioner is having no criminal antecedent and is in custody since 26.03.2022.

On the other hand, learned counsel for the state opposed the bail application.

Having regard to the submission made on behalf of the parties and considering the fact that the alleged recovery has been made behind the house of the petitioner and he is in custody since 26.03.2022, having fair antecedent, though after completion of investigation, charge-sheet has been submitted and there is no likelihood of commencement of trial in near future, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Sakari P. S. Case No. 46 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the



trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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