

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46052 of 2021**

Arising Out of PS. Case No.-146 Year-2020 Thana- BALIGAON District- Vaishali

MITHUN KUMAR Son of Mahesh Sahni Resident of Village - Shahpur  
Khurd, P.S.- Goraul (Kathara O.P), Distt.- vaishali at Hajipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anish Chandra, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**

ORAL ORDER

3      22-03-2022                      Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399, 402, 414, and 34 of the Indian Penal Code and sections 25 (1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, on information having been received about the accused persons having gathered to give effect to an occurrence, it is stated that a raid was conducted and from possession of the petitioner a loaded country made pistol with a live cartridge and a separate live cartridge were recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of his antecedents. No incriminating article has been



recovered from his possession. He is in custody since 24.12.2020 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for 1 year 3 months, the Court directs the petitioner to be enlarged on bail in connection with Baligaon P.S. Case no. 146 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, XVI, Vaishali at Hajipur.

**(Partha Sarthy, J)**

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