

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50194 of 2021

Arising Out of PS. Case No.-146 Year-2021 Thana- LAKHISARAI District- Lakhisarai

MITHLESH KUMAR @ MITHILESH KUMAR Son of Subhash Mandal
Resident of Village - Shastri Nagar Lane No. - 4, P.S. - Kasim Bazar, District -
Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-02-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Lakhisarai (Kabaiya) P.S. Case No. 146 of 2021 instituted for the
offences under Sections 25(1-b)/A/26(i)(ii)/35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 06.03.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of 7 country made pistol and 64
cartridges from the petitioner who along with other accused were
caught when they were driving a motorcycle, further from co-
accused also arms and cartridges were recovered.

Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case and he was made to carry a bag to his friend who was riding the motorcycle and, as such, was not aware what was kept in the bag. Learned counsel further submits that petitioner is a person with clean antecedent and was not aware what was kept in the bag and has remained in custody for 11 months.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 146 of 2021, one of the bailors shall be the father of the petitioner, namely, Subhash Mandal and further if the petitioner is implicated in a case of similar nature, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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