

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72555 of 2021**

Arising Out of PS. Case No.-82 Year-2020 Thana- DEEPNAGAR District- Nalanda

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YOGENDRA MAHTO S/O SRI BRAHMDEO MAHTO R/o village-
Shekhopur, P.S.- Deepnagar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Deepnagar P.S. Case No. 82 of 2020 registered for the offences
punishable under Sections 414 and 34 of the Indian Penal Code
read with Sections 25(1) (A) (aa), (1-b)a, 26 and 35 of the Arms
Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 27.08.2021, charge-sheet has been
submitted in the case and is a person with clean antecedent and
is aged about 61 years and allegation is of huge recovery of
arms and ammunition as detailed in the FIR from the house of



Niwas Kumar who is alleged to be a manufacturer of arms and ammunition and it is also alleged that the petitioner fled from the place of occurrence and Niwas Kumar was apprehended.

The learned counsel submits that the petitioner who is 61 years of age did not commit any occurrence and thus is a person with clean antecedent and because of his son he came to be implicated in the present case though it is alleged that he fled from the place of occurrence but the petitioner was not present in the house when the raid was conducted and the police implicated him merely because he is father of Niwas Kumar. It is next submitted that the house from which arms and ammunition was recovered also belongs to Niwas Kumar and the petitioner stays separately with his two unmarried daughters.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 27.08.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and is a senior citizen, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in



connection with Deepnagar P.S. Case No. 82 of 2020
corresponding to Sessions Trial No. 703 of 2021.

(Satyavrat Verma, J)

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