

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7196 of 2023

Arising Out of PS. Case No.-1071 Year-2022 Thana- NAWADA District- Nawada

MITHLESH KUMAR, aged about 19 years, Gender, Male, Son of Sahdeo Yadav Resident of Village - Dumri, P.S.- Hisua, District - Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rekha Prasad, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and the learned APP for the State.

2. Petitioner seeks regular bail in connection with Nawada Town P.S. Case No. 1071 of 2022 dated 20.09.2022 registered for the offence(s) punishable under Section(s) 25(1-B)a/26/35 of the Arms Act.

3. The main submissions advanced by the learned counsel for the petitioner are that in the present matter, two co-accused persons, namely, Manish Kumar and Sachin Kumar have been granted bail by the Juvenile Justice Board and against the co-accused Manish Kumar, there was allegation of having thrown firearm on seeing the police party and against the co-accused Sachin Kumar, there was allegation of having a knife in his possession and against the petitioner, there is



allegation of having a loaded country made pistol in his possession. Further submission is that the petitioner is a very young person and he is about 19 years old, having fair and clean antecedent and he has been languishing in jail since 20.09.2022.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly petitioner's young age and his custody period and also the fact that as per the seizure memo, the recovery of the alleged firearm was made from the possession of this petitioner in the presence of two official persons who have been made witnesses of the search and seizure, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with Nawada Town P.S. Case No. 1071 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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