

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17892 of 2023

Arising Out of PS. Case No.-141 Year-2022 Thana- HAYAGHAT District- Darbhanga

Mukesh Kumar Sah S/O Upendra Sah @ Opindar Sah R/O Village- Hathauri,
P.S- Hayaghat And Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a, 26, 35 of the Arms Act.

As per FIR, it is a case of recovery of one country made pistol along with one live cartridge from the *Dalan* of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery nor any incriminating article has been recovered from his physical possession



rather seized article was recovered from an open place which is accessible to everyone. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 23.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hayghat P.S. Case No. 141 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Darbhanga.

(Sunil Kumar Panwar, J)

Manishkumar/-

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