

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25063 of 2023

Arising Out of PS. Case No.-29 Year-2022 Thana- NADI P.S. District- Bhagalpur

1. MANTOSH KUMAR YADAV @ MANTOSH YADAV Son of Ambika Yadav Resident of village - Navtolia Jhandapur, P.S.- Bihpur, District - Bhagalpur
2. Bambam Kumar Son of Polo Singh Resident of village - Navtolia Jhandapur, P.S.- Bihpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioners and
learned APP for the State.

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

Prosecution case relates to gathering of five antisocial elements for hatching a conspiracy. Acting on a tip off, police party proceeded towards the place of occurrence and apprehended three accused persons including the petitioners. On search, from petitioner no. 2, one toy gun and motorcycle and from petitioner no. 2 one loaded country made kattta were recovered.



It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioners are languishing in judicial custody since 17.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Naugachia, Bhagalpur in connection with Nadi P.S. Case No. 29 of 2022.

(Sunil Kumar Panwar, J)

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