

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 27911 of 2023**

Arising Out of PS. Case No.-66 Year-2023 Thana- KHODAWANDPUR District- Begusarai

GOPAL KUMAR MAHTO @ GOPAL KUMAR Son of Madho Mahto @
Madhav Mahto Resident of village - Goushala road ward no. 22, P.S. - Town,
(Ratanput O.P), Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Khodawandpur Police Station (for brevity, **PS**) Case No 66 of 2023 dated 01.03.2023 registered for the offence punishable under Sections 29, 35 of the Arms Act.

As per the prosecution case, photograph of a young boy holding a country made pistol went viral on social media.



On being asked, the co-accused Nitish Kumar told that the said pistol belonged to the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The pistol was not recovered from the possession of the petitioner. The petitioner has no criminal antecedent, as stated in paragraph 3 of the bail petition. He is in custody in this case since 02.03.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Manjhaul, District – Begusarai in Khodawandpur PS Case No 66 of 2023 dated 01.03.2023.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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