

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34292 of 2023

Arising Out of PS. Case No.-185 Year-2022 Thana- GAMAHAIRIYA District- Madhepura

MITHILESH RAM @ OM PRAKASH RAM S/O LATE NAKCHHEDI
RAM R/O Village Piprahi, Ward No.05, P.S. Gamharia, Distt. Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.D. Sanjay, Sr. Adv along with Ms. Priya Gupta, Adv and Mr. Rahul Kumar, Adv.
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 25(1-B)a/ (1-AA), 26 and 35 of the Arms Act.

3. Prosecution case relates to recovery of many firearms, half made fire arms, parts of the fire-arms and several equipments meant to be used in making fire-arms.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that all the family members of the petitioner has been made accused in this case. The provision of Section 100 of the Cr.P.C. has not followed in this



case. The petitioner has no concern with the articles alleged to be seized. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 22.06.2023 passed in Cr. Misc. No. 2661 of 2023. He is languishing in judicial custody since 28.08.2022.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as the period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Gamahariya P.S. Case No. 185 of 2022.

(Sunil Kumar Panwar, J)

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