

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34588 of 2023**

Arising Out of PS. Case No.-140 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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Santosh Mahato son of Ratan Mahto @ Ramratan Mahato Village- Siswa
Ajjari PS- Banjariya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
Mr.Hemant Ray

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 22-08-2023 Heard learned counsel for the petitioner and the

State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, on a secret information that some miscreants have assembled in Vivekanand Park to commit some crime, a raid was conducted. Three miscreants were apprehended on the spot from whose possession arms and ammunition were recovered and two miscreants succeeded in fleeing away. The apprehended persons disclosed the name of this petitioner as one of their associates.



4. It is submitted that no arms and ammunition have been recovered from possession of this petitioner. Petitioner was not apprehended on the spot. Name of petitioner transpired in this case on the basis of confessional statement of co-accused.

5. Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 140 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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