

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49745 of 2023

Arising Out of PS. Case No.-418 Year-2022 Thana- SULTANGANJ District- Bhagalpur

Ashok Mallik Son of Late Gudar Mallik Resident of village - Mirjapur, P.s. -
Sultanganj, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar
For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 25(1-b) a, 26, 35 of the Arms Act.

The prosecution case relates to recovery of one country made pistol and one live cartridge from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent has committed no offence. He has falsely been implicated in the present case. The petitioner has no concern with alleged arms which were seized by the police. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated other accused



person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 13.06.2023 passed in Cr. Misc. No.29966 of 2023. It is also submitted that petitioner is languishing in judicial custody since 06.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sultanganj P.S. Case No. 418 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 15th Additional Session Judge, Bhagalpur.

(Sunil Kumar Panwar, J)

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