

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60814 of 2023**

Arising Out of PS. Case No.-377 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Mantu Yadav Son Of Late Nemo Yadav @ Nemmu Resident Of Village-
Jaleem Koyree Lane, Badi Khanjarpur, Ps- Barari, Distt- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paritosh Parimal
For the Opposite Party/s : Mr.Narsingh Tanti

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 25(10b)a, 26, 35 of the Arms Act.

3. Prosecution case relates to recovery of two revolver, one country made pistol and cartridges as well as android phone from the co-accused Fantush Tanti and he was arrested on spot. His family members and local persons protested his arrested and assaulted the police party as a result of which some police personnel sustained injuries.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case only



because seizure list bears the signature of the petitioner. The said recovery has been made from the house of the co-accused Fantush Tanti and not from the house of the petitioner. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 23.4.2023.

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, this court is inclined to enlarge the petitioner on bail. 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 Judicial Magistrate 1st Class, Bhagalpur in connection with Kotwali (Barari) PS Case No. 377 of 2023.

(Sunil Kumar Panwar, J)

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