

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63782 of 2023

Arising Out of PS. Case No.-219 Year-2023 Thana- RIGA District- Sitamarhi

Pankaj Mahto Son Of Ranjeet Mahto Village- Sidhorwa Ward No 2, Ps- Riga,
Dist- Sitamarhi (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2023 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 Section 414 of the Indian Penal Code and Sections 25(1-b)a, 26/35 of the Arms Act.

As per prosecution case, the petitioner was apprehended on the spot and from his possession, one country made pistol, one motorcycle and one mobile were recovered.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case. The petitioner has no concern with alleged arm which was seized by the police. The alleged mobile and motorcycle belongs to the petitioner.



Both the seizure list witness are police personnel which is complete violation of Section 100 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. The petitioner is languishing in judicial custody since 13.06. 2023.

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 Righ P.S. Case No. 219 of 2023 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 Chief Judicial Magistrate, Sitamarhi.

(Sunil Kumar Panwar, J)

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