

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65955 of 2023

Arising Out of PS. Case No.-185 Year-2022 Thana- DHAMDAHA District- Purnia

Mithilesh Kumar Mehta S/O Ashok Mehta R/O Chandrahi, P.S- Dhamdaha,
Distt.- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has filed the instant application for grant of regular bail in connection with Dhamdaha P.S. Case no. 185 of 2022 registered under sections 25(1-B)(a)/AA/28 and 29 of the Arms Act.

3. As per the prosecution case, on a raid being conducted one barrel of a gun, one half made pistol and various articles were manufacture of illegal arms were recovered.

4. It is submitted by learned counsel for the petitioner that the allegation as levelled in the F.I.R. are false and concocted. No incriminating article has been recovered from the petitioner's possession or from his house. He has been falsely implicated in this case because of his antecedents. He is in custody since 18.7.2022 and charge-sheet has been submitted in the case.



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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner having remained in custody for more than one year and three months since 18.7.2022 and charge-sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Dhamdaha P.S. Case no.185 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 Chief Judicial Magistrate, Purnea.

7. It is directed that the petitioner shall cooperate in the trial in the learned trial Court and in case the learned trial Court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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