

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65699 of 2023

Arising Out of PS. Case No.-292 Year-2023 Thana- BARAULI District- Gopalganj

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MOHAN MAHATO SON OF BINDA MAHTO @ DEENA MAHATO R/O
VILLAGE- SARFARA, PS- BARAULI, DIST- GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikash Kumar Shukla

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-10-2023 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 399, 402, 414, 34 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act and Section 8/20(b)(ii)(A) of the NDPS Act.

3. Prosecution case relates to recovery of 1 kg. Ganja like substance, arms, ammunition, cash, ornaments etc. were recovered from a white colour scorpio and petitioner was arrested on spot.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Petitioner has no concern with the alleged recovery or with the vehicle in question. Provision of Section 100 CR.P.C. has not



been followed by the police officials while preparing the seizure list. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 12.10.2023 passed in Cr. Misc. No. 65042 of 2023. Petitioner is languishing in judicial custody since 10.7.2023.

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 Sessions Judge, Gopalganj in connection with Barauli PS Case No. 292 of 2023.

(Sunil Kumar Panwar, J)

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