

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69043 of 2023

Arising Out of PS. Case No.-94 Year-2020 Thana- NOWKOTHI GARHPURA District-
Begusarai

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BAMBAM MAHTO @ RAM PRAVESH MAHTO Son of Late Horil Mahto
Resident of Village-Samsa, P.S.-Nowkothi, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar

For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per prosecution case, this case relates to recovery of one rifle along with live cartridges from fodder house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concerned with the alleged arms seized by the police. Neither the petitioner was apprehended on spot nor any incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner is languishing in judicial



custody since 6.1.2021.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nawkothe P.S. Case No. 94 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Begusarai subject to following conditions:-

(i) the petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

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