

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70241 of 2023

Arising Out of PS. Case No.-332 Year-2023 Thana- PAHARPUR District- East Champaran

MUKTI KUMAR @ MUKTI MAHTO SON OF LATE BHUALI MAHTO
RESIDENT OF VILLAGE -BALUA SORAHYA, PS- PAHARPUR, DIST-
EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-11-2023 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(1-b)a, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, two accused persons were arrested from the house of the petitioner and from their possession one single barrel gun and five cartridges, one country made pistol with live cartridges were recovered.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Petitioner was neither arrested on spot nor any incriminating article was recovered from his possession. 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 20.08.2023.

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 CJM, Motihari, East Champaran in connection with Paharpur P.S. Case No. 332 of 2023.

(Sunil Kumar Panwar, J)

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