

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76857 of 2023

Arising Out of PS. Case No.-157 Year-2023 Thana- LAKHNAUR District- Madhubani

Ram Bharoshi Mandal @ Ram Bharosh Mandal Son Of Khedu Mandal
Resident Of Village Parsauni, Ps Marauna, Distt. - Supaul

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amar Nath Yadav, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Lakhnaur (RSOP) P.S.
case No. 157 of 2023 instituted for the offences under Sections
25(1-b)a, 26 and 35 of the Arms Act..

3. Prosecution allegation, in short, is that four accused
persons on two motorcycles were signaled to stop and in course
of search, one country made pistol without any cartridge was
recovered in this case.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 31.07.2023 and has no criminal
antecedent. The petitioner has falsely been implicated in the
present case. Learned counsel for the petitioner submits that no



recovery is made from the possession of the petitioner. There is no compliance of Section 100 of Cr.P.C. Similar co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 02.11.2023 passed in Cr. Misc. No. 69272 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and that the Coordinate Bench of this Court has granted bail to similar co-accused, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lakhnaur P.S. case No. 157 of 2023, G.R. No. 1396/2023.

(Rudra Prakash Mishra, J)

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