

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79064 of 2023

Arising Out of PS. Case No.-41 Year-2020 Thana- BELCHHI District- Patna

Mithilesh Chauhan @ Mithilesh Chauhan, S/O Kuwar Chauhan R/O Village/Mohalla- Mahmuda, P.S- Bind, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2023 At the outset, learned counsel for the petitioner is permitted to make necessary correction in the petitioner's array.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 25(1-b)a, 26 and 35 of the Arms Act.

4. As per prosecution case, there has been recovery of one loaded country-made pistol and three live cartridges from the co-accused Bipin Chauhan.

5. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner has not been apprehended on spot. The name of the petitioner has come into light on the basis



of confessional statement of co-accused Bipin Chauhan, who apprehended on spot. The petitioner has no concern with the alleged arms and cartridges, which were seized by the police. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 16.07.2023.

6. The application for bail is opposed by learned APP for the State.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as the period of custody, 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 S.D.J.M., Barh, Patna in connection with Belchhi P.S. Case No. 41 of 2020.

(Sunil Kumar Panwar, J)

Arish/-

U		T	
---	--	---	--

