

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22096 of 2024

Arising Out of PS. Case No.-340 Year-2023 Thana- GOH District- Aurangabad

Awadhesh Mistry, aged about 55 years, Male, Son of Late Kameshwar Mistry,
Resident of Muhallah- Rajputana Tola, Goh, P.S.- Goh, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Smt. Sudha Ambastha, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Goh
P.S. Case No. 340 of 2023 instituted for the offences punishable
under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, one country made
pistol and a touch screen mobile phone has been recovered from
the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. He next submits that the
petitioner is named in the FIR but there is no recovery from the
conscious possession of the petitioner. One country made pistol
has been recovered from the possession of other co-accused



namely, Manoj Mistri @ Dukhan Mistry. Petitioner has got clean antecedent as stated in para 3 of the petition and is in custody since 08.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-X, Aurangabad dated 09.01.2024, it appears that petitioner is named in the FIR. The co-accused who has been arrested namely Manoj Mistry @ Dukhan Mistry has disclosed the name of the petitioner. Similarly situated co-accused person namely Sarvesh Chandrawanshi has been granted bail by this Court in Cr. Misc. No. 12934 of 2024 vide order dated 29.02.2024, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Chief Judicial Magistrate, Aurangabad in connection with Goh P.S. Case No. 340 of 2023.

(Ramesh Chand Malviya, J)

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