

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29088 of 2024

Arising Out of PS. Case No.-184 Year-2022 Thana- GWALPARA District- Madhepura

Nikku Kumar Mahto Son Of Lalchand Mahto @ Lalchan Mahto Resident Of
Village- Sinduwari Bintoli, Ward No. 14, Ps- Gwalpara, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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

ORAL ORDER

2 20-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Gwalpara P.S. Case No. 184 of 2022 instituted for the offence
under Sections 25(1-B)a, 26 & 35 of the Arms Act.

3. As per prosecution case, there is recovery of one
country made pistol from the possession of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 26-08-2022. Petitioner
bears three criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present



case. Nothing has been recovered from conscious possession of the petitioner. Petitioner has no concern with the recovered arms and the same is planted. It is submitted that there is no compliance of Section 100 of the Cr.P.C. It is lastly submitted that charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Gwalpara P.S. Case No. 184 of 2022.

(Rudra Prakash Mishra, J)

Raj kishore/-

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