

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33192 of 2024**

Arising Out of PS. Case No.-168 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

Mukhlal Mistri Son of Late Karu Mishtri @ Bechan Mishtri Resident of  
Village- Manki, P.S- Kadirganj, Dist- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2      30-04-2024                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in Bhabua P.S. Case No.  
168 of 2024, instituted for the offences punishable under  
Sections 25(1-AA), 25(1-b)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner  
along with others is of engaging in manufacturing of illegal fire  
arms. The petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. No incriminating material has been recovered from  
the house and conscious possession of the petitioner. The  
alleged recovery has been made from the hut with which the



petitioner has no concern. The petitioner is about 85 years old. The petitioner is in custody since 08.03.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 22.04.2024 passed in Cr. Misc. No. 30049 of 2024.

5. Learned APP 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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhabua P.S. Case No. 168 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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