

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35709 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- BHAPTIAHI District- Supaul

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Mannu Kumar @ Manu Kumar Son of Krishna Kumar Mehta @ Ramu Mehta Resident of Village - Tengraha Ward No.- 02, P.S.- Bhaptiyahi, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 14-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Bhaptiyahi P.S. case No. 163 of 2023 instituted for the offences under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the F.I.R., one country-made pistol and two live cartridges were recovered from the petitioner.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.10.2023 and has seven criminal antecedents out of which he is on bail in five cases. There is no compliance of Section 100 of the Cr.P.C.

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, nature of offence as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge, if not already framed*, 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 Bhaptiyahi P.S. case No. 163 of 2023.

(Rudra Prakash Mishra, J)

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