

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39351 of 2024**

Arising Out of PS. Case No.-74 Year-2024 Thana- BARAUNI District- Begusarai

Sarwan Mahto @ Sarwan Kumar son of Sima Mahto @ Ashok Mahto  
Village- Malhipur Ps- barauni Chakiya OP Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

ORAL ORDER

3      26-07-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Barauni (Chakiya O.P.)  
P.S. Case No. 74 of 2024, instituted for the offences punishable  
under Sections 25(1-b)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that, one live  
cartridge has been recovered from the possession of the  
petitioner.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. Charge-sheet has been submitted in this case. No  
incriminating material has been recovered from the conscious  
possession of the petitioner. Learned counsel for the petitioner



further submitted that the petitioner has got no concern with the alleged recovery of live cartridge. The petitioner is in custody since 22.02.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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 and taking into account 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 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 Barauni (Chakiya O.P.) P.S. Case No. 74 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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