

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40619 of 2024**

Arising Out of PS. Case No.-1722 Year-2023 Thana- NAWADA District- Nawada

Radhey Rajbanshi @ Radhey Ram S/O Late Lutan Rajbanshi @ Lutan Ram
R/O Village- Pachohiya, P.S- Nawada (Kadirganj O.P.), Distt.- Nawada.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj

For the Opposite Party/s : Mr.Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 02-08-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 25(1-A), 25(1-AA),
25(1-B), 25(1-C), 26, 35 of Arms Act.

The allegation against the petitioner and other
co-accused persons is that they were indulged in
manufacturing of illegal Arms in a filed. On search, many
incriminating articles has been recovered. It is further
alleged that local chowkidar disclosed the name of fled
away persons as petitioner and other co-accused.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner was apprehended on spot nor anything incriminating has been recovered from his conscious possession. He has no concern either with recovered incriminating articles or with co-accused persons. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 16.11.2023. Similarly situated co-accused person, namely, Pappu Mistry @ Bachan Mistry has been granted bail vide order dated 20.02.2024, passed in Cr. Misc. No. 7761 of 2024, by this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail.



The above named petitioner is directed to be enlarged on bail in connection with Nawada Town P.S. Case No. 1722 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada.

(Sunil Kumar Panwar, J)

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