

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40163 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- MADHEPUR District- Madhubani

Prabhu Narayan Mahto Son of Pramod Kumar Mahto R/o -Babujeevan P.S-
Madhepur, Dist-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Dular Sah, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Madhepur P.S. Case No. 28 of 2024 instituted for the offences
under Sections 25(1-b), a, 26, 35 of the Arms Act.

3. As per prosecution case, the police has recovered
one country-made Katta and one Android Redmi mobile phone
from the possession of the co-accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to village politics. He further submits that nothing
incriminating has been recovered from the conscious possession



of the petitioner. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.03.2024 without any rhymes or reason. It is submitted that recovery is made from co-accused, who has been granted bail by this Court vide order dated 21-05-2024, passed in Cr. Misc. No. 37364 of 2024. It is lastly submitted that charge sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Madhepur P.S. Case No. 28 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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