

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48186 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- ANDHRAMATH District- Madhubani

Surendra Mukhiya S/o Hiralal Mukhiya @ Hari Lal Mukhiya R/o Vill -
Akhraha Tol, Dharhara, P.S. - Andhramath, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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

ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Andhramath P.S. Case
No. 39 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 country
made pistol was 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 arms. The petitioner is in custody since 09.03.2024 and has got one criminal antecedent in which the petitioner is on bail. 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 Andhramath P.S. Case No. 39 of 2024.

(Rudra Prakash Mishra, J)

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