

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45601 of 2024

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

Laloo Mukhiya Son of Bittu Mukhiya @ Biltu Mukhiya Resident of Vill-
Akhraha Tol, Dharhara, P.S.- Andhramath, District- 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

3 20-09-2024 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, giving rise to G.R. No. 329 of 2024, instituted for the offences punishable under Section 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



also submits 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 two criminal antecedents in which he is on bail. There is no compliance of Section 100 of Cr.P.C. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 24.07.2024 passed in Cr. Misc. No. 48186 of 2024.

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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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, giving rise to G.R. No. 329 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

