

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57389 of 2024

Arising Out of PS. Case No.-1285 Year-2023 Thana- KHAGARIA District- Khagaria

Major Tanti @ Mejar Son of Arjun Tanti Resident of Vill- Kashimpur, P.S.-
Khagaria Thana, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Mumtaz Uddin, Advocate

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

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

ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khagaria P.S. Case No. 1285 of 2023, G.R. No. 4399 of 2023
instituted for the offences under Sections 25(1-b)a, 26, 35 of the
Arms Act.

3. As per the F.I.R., police, during night patrolling
reached at the place of occurrence. Seeing the police party, three
miscreants starting running away to escape from police. Police
chased the miscreants but they managed to flee away. In the
course of fleeing away, the miscreants had left one motorcycle
and two country-made guns out of which one gun was loaded
with bullet. Accordingly, motorcycle and two pistols were



recovered from the spot.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of statement of other persons. Petitioner was not present at the place of occurrence. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the recovered arms and ammunitions. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.02.2024 and has two criminal antecedents. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. 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 as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khagaria P.S. Case



No. 1285 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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