

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59739 of 2024

Arising Out of PS. Case No.-283 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Sanjeet Kumar Son of Ramchandra Mahto Resident of Nathudwar, P.S. -
Khanpur, District - Samastipur, Bihar - 848236

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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

ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Bibhutipur P.S. Case No. 283 of 2023 instituted for the offences
under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution story, in short, is that, on the secret
information, two motorcycle-borne miscreants were
apprehended and two mobile phones were recovered from this
petitioner and one country-made pistol was recovered from
possession of one Suman Kumar.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
arms or ammunitions has been recovered from the conscious
possession of the petitioner rather the same has been recovered
from the co-accused Suman Kumar who has already been



granted bail by the co-ordinate Bench of this Court vide order dated 05.01.2024 passed in Cr. Misc. No. 83852 of 2023. Learned counsel further submitted that petitioner has got no concern with the recovered arms. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.08.2023 and has one criminal antecedent. 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, no any recovery of arms from this petitioner, 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 Bibhutipur P.S. Case No. 283 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

