

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69275 of 2024

Arising Out of PS. Case No.-191 Year-2022 Thana- SISWAN District- Siwan

Sanjeet Mahto Son of Jalandhar Mahto R/o Village- Katchanar, P.S.- Siswan,
Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-10-2024 Heard Mr. Vinod Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Siswan P.S. Case No. 191 of 2022 for the offence punishable
under sections 25(1-b)a/26/35 of the Arms Act lodged on
15.08.2022 by the informant, Rajesh Kumar Singh.

3. As per the prosecution story, the informant alleged
that on 15.08.2022, on secret information, raided the place and
apprehended one Pankaj Manjhi from whom country-made
loaded pistol and three live cartridges recovered/seized. He gave
the name of this petitioner who escaped. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that
nothing has been recovered from his conscious possession and
only because he was named by the co-accused, he has remained



in custody for more than a year [30.09.2023 (paragraph-11 of the petition)]. Though he concede that the petitioner has criminal antecedents.

5. Learned APP opposes the prayer for bail submitting that he has been named by the co-accused.

6. Considering the aforesaid submission as also the fact that the recovery is from Pankaj Manjhi, this petitioner was named by the apprehended person and has already remained in custody since 30.09.2023, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-IV, Siwan, in connection with Siswan P.S. Case No. 191 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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