

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68870 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Ramlal Mahto @ Ram Lal Mahto Son of Late Sibbu Mahto, Resident of
Village- Pakahi W.No-9, Ps- Bibhutipur Dist- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Ranjan, Advocate.
	:	Ms. Kanika, Advocate.
	:	Mr. Md. Farooq, Advocate.
For the Opposite Party/s	:	Mrs. Nirmala Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 30-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Bibhutipur P.S. Case No.229 of 2023, registered for the offences
punishable under Sections 25(1-B)a, 25(1-A), 26(2), 29, 35 of
the Arms Act.

3. As per the prosecution case, there is recovery of one
country made carbine alongwith one magazine and 18 bullets
from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.
He further submits that the petitioner has no criminal antecedent
and is in jail custody since 28.06.2023. He also submits that no
incriminating article has been recovered from the conscious
possession of the petitioner and the alleged recovery was not



made from the residential house of the petitioner rather the same was recovered from the hut which is used by the member of joint family to keep animal feed. Learned counsel submits that the recovery of country made carbine and 18 bullets were made on the confessional statement of the co-accused Ramuday Mahto who has been granted bail by the Co-ordinate Bench of this Court vide order dated 31.10.2023 passed in Cr. Misc. No.68506 of 2023. He further submits that the charge sheet has already been submitted in this case and there is no chance of absconding the petitioner or tampering with the evidence.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, 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 learned Sub Divisional Judicial Magistrate, Rosera, Samastipur in connection with Bibhutipur P.S. Case No.229 of 2023.

(Sunil Dutta Mishra, J)

Ritik/-

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

