

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71892 of 2023**

Arising Out of PS. Case No.-332 Year-2023 Thana- PAHARPUR District- East Champaran

Tarkeshwar @ Tarkeshwar Mahto @ Tarkeshwar Kumar Son Of Late Bhuali  
Mahto Resident Of Village Balua Sorahiya, Ward No.-4, P.S.-Paharpur, Dist.-  
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      22-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a  
case registered for the offence punishable under section 25(1-  
b)a, 26, 35 of the Arms Act.

3. As per FIR, the petitioner was apprehended on the  
spot, upon search one country made and one live cartridge  
were recovered from his house.

4. Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner is innocent and has  
committed no offence. He has falsely been implicated in this  
present case merely on the basis suspicion. The petitioner has  
no concern with the alleged recovery rather he has been made



accused in this case due to high handedness of the police officials. It is further submitted that the seizure list has not been prepared as per provision of law. Moreover, the petitioner is languishing in judicial custody since 20.08.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Paharpur P.S. Case No. 332 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran.

**(Sunil Kumar Panwar, J)**

Shubham/-

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