

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74894 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Mukhi Rai @ Mukhi Yadav son of Late Ramchandra Rai village- Tikuliya,
Ps- Muffasil (motihari), Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

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

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

ORAL ORDER

2 22-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Muffasil P.S. Case No.
156 of 2024, instituted for the offences punishable under
Sections 25(1-B)(a) and 26 of the Arms Act.

3. The prosecution case, in short, is that, there is
recovery of one country made pistol and one live cartridge from
the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner further submits that the petitioner has got no
concern with the alleged recovery of arms. The petitioner is in



custody since 03.04.2024 and has got thirteen criminal antecedents in which he is on bail in ten cases. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 156 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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