

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82562 of 2023

Arising Out of PS. Case No.-80 Year-2020 Thana- ANDHRAMATH District- Madhubani

MAHESH SAH @ MAHESH PRASAD SAH SON OF LATE SOTILAL
SAH R/O VILLAGE- HARIRAHA, P.S.- ANDHRAMATH, DISTRICT-
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat, Adv.

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Andhramath P.S. Case No.80 of 2020, (G.R. No.1274 of 2020)
lodged under Sections 25(1-b)a/ 26 and 35 of the Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against two named accused persons who are father and
son. As per the allegation, the recovery of cartridges have been
made from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that petitioner is in custody since 31.07.2023 having two
criminal antecedent and all those cases have been filed after
filing of the present case.

5. Counsel also submits that the other co-accused has
been granted bail by the Co-ordinate Bench of this Court vide



order dated 19.01.2021 passed in Cr. Misc. No. 35783/2020.

6. Upon specific query whether charge has been framed or not. Counsel submits that as per his knowledge, charge has not been framed till date.

7. Learned counsel for the State opposes the prayer for bail and submits that live cartridges have been recovered from the petitioner's possession.

8. Upon perusal of the bail of other co-accused, plea has been taken that the recovery has not been made from the house of the petitioner whose son (co-accused) is petitioner's son.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail **but 3 months after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Jhanjharpur, Madhubani in connection with Andhramath P.S. Case No.80 of 2020, (G.R. No.1274 of 2020) subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

Prakashmani/-

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