

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83552 of 2023

Arising Out of PS. Case No.-254 Year-2023 Thana- PIPRA District- East Champaran

Mantu Kumar S/O Chandeshwar Rai R/O Village- Barharwa Mahanand, P.S-
Kalyanpur, Distt.- 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.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 393, 413, 414, 471 of the Indian Penal Code and sections 25 (1-b)a/26/35 of the Arms Act.

3. As per allegation in the FIR, on getting secret information that four persons on two motorcycle were hovering near IFFCO market, Mahua to commit crime, police party proceeded towards place of occurrence and apprehended four accused persons. On search, from possession of the petitioner, one loaded automatic pistol was recovered. Arms, live cartridges, mobile, dagger, motorcycle etc. were also recovered from other accused persons. Accordingly, police prepared the



seizure list.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Nothing has been recovered from the conscious possession of the petitioner and the said recovery as alleged in FIR is planted by the police officials to make the case grievous. Petitioner is languishing in judicial custody since 17.08.2023.

5. The application for bail is opposed by learned APP for the State and submitted that five criminal cases are pending against the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail **after framing of charge**, if not framed, on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned SDJM, Sadar at Motihari in connection with Pipra P.S. Case No. 254 of 2023.

(Sunil Kumar Panwar, J)

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