

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11042 of 2025

Arising Out of PS. Case No.-92 Year-2024 Thana- MOHANPUR District- Samastipur

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Suman Kumar @ Suman Mahto S/o- Jagdish Mahto Village- Rajpur Jaunapur
Ward no 14 PS- Mohanpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mohanpur P.S. Case No. 92 of 2024 registered for the
offences punishable under Sections 25(1-b)A, 26 & 35 of the
Arms Act.

3. As per prosecution case, the police has recovered
one loaded country made sixer along with one iron dabiya from
the possession of co-accused, namely, Pramod Mahto.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Name of the petitioner is transpired in this case as the accused
who managed to fled away from the spot. Nothing has been



recovered from either conscious or physical possession of the petitioner. Petitioner has no concern with the recovered arms. There is no compliance of Section 103 of the BNSS, 2023. Petitioner is a man of clean antecedent. Learned counsel for the petitioner again submits that the co-accused has been granted bail by this Court *vide* order dated 22.10.2024 passed in Cr. Misc. No. 74681 of 2024.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mohanpur P.S. Case No. 92 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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