

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17288 of 2025

Arising Out of PS. Case No.-465 Year-2023 Thana- BIBHUTIPUR District- Samastipur

Santosh Kumar @ Santosh Kumar Mahto Son of Nand Kishore Mahto
Resident of Ward No.8, Boria, P.S. - Bibhutipur, Samastipur, Bihar-848101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Adv

For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-05-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is not named in the

F.I.R. and apprehended his arrest in connection with

Bibhutipur P.S. Case No. 465 of 2023 registered for the

offences punishable under Section 30(a) of the Bihar

Prohibition and Excise Act and Sections 25(1-B)(a) and 26 of

the Arms Act.

3. As per FIR, in furtherance of secret

information arms and ammunitions were recovered from the

backside of the grocery shop and cyber cafe of one Sanjay



Mahto.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner was not named with the FIR and further more seizure list and FIR, itself suggests that recovery of alleged arms were made from an open place, easily accessible by general public. It is pointed out that petitioner was doing business of vehicle, where one vehicle was under nose of SHO Vijay and when their relation deteriorated out of some financial issues. Petitioner was implicated falsely with the present case. While concluding the argument learned counsel submitted that petitioner found involved in one more criminal case, where he is on bail.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as recovery of alleged arms and ammunition prima-facie appears to be made from an open place, easily accessible by general public, where name of petitioner transpires out of suspicion arising out of secret input, accordingly petitioner above named, in the event of his



arrest or surrender before the learned Trial Court within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise 1st, Samastipur/concerned Trial Court where the case is pending in connection with Bibhutipur P.S. Case No. 465 of 2023 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

