

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36096 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- BANJARIA District- East Champaran

Anup Kumar Mahto S/o Late Shaileshwar Mahto R/o Vill.- KarmaPurnadih,
Ward no. 13, PS.- Kasmar, Distt. Bokaro

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Chandra Bhaskar, Advocate

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

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

ORAL ORDER

2 16-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Banjariya P.S. Case No. 26 of 2025 instituted for the offence
under Sections 25(1-b)a, 26 & 35 of the Arms Act.

3. Prosecution case in short is that there is recovery of
one live cartridge from the possession of the petitioner, whereas
one country made pistol is allegedly recovered from co-accused,
namely, Prashant Singh.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11-01-2025. Petitioner
bears no criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner has no concern with the recovered arms. Nothing incriminating has been recovered from the possession of the petitioner. Learned counsel next submits that police after investigation has already submitted charge sheet in this case. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Banjariya P.S. Case No. 26 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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