

# Birju Mahto @ Birju Kumar Mahto vs The State Of Bihar on 16 April, 2018

**Author: Arun Kumar**

**Bench: Arun Kumar**

Patna High Court Cr.M isc. No.22360 of 2018 (2) dt.16-04-2018

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.22360 of 2018  
Arising Out of PS.Case No. -187 Year- 2017 Thana -BHAGWANPUR Dis  
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1. Birju Mahto @ Birju Kumar Mahto, Son of Ramawatar Mahto, Residen  
of Village- Bashi, Police Station- Cheriya Bariyarpur, District- Be  
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Versus

1. The State of Bihar. .... Opposite Par  
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Appearance :  
For the Petitioner/s : Mr. Manoj Kumar  
For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh  
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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR  
ORAL ORDER

2 16-04-2018

Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody since 24.10.2017, seeks bail in Bhagwanpur PS Case No. 187 of 2017 registered under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation in brief is that one country made loaded pistol, two live cartridges and a motorcycle were recovered from the possession of the petitioner while the police raided the place after receiving information of assembly of criminals.

Learned Counsel for the petitioner submits that another co- accused Neeraj Kumar Mahto has been granted bail by this court and he is in custody since 24.10.2017.

Whereas learned Counsel for the State submits that from the possession of Neeraj Kuimar Mahto only three live cartridges were recovered but from the possession of the petitioner country made loaded pistol and two live cartridges have been recovered, besides this he has five criminal antecedents of robbery, Arms Act and murder.

Having considered the said facts and circumstances, the prayer for bail of the petitioner is rejected.

The trial court is directed to expedite the trial.

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(Arun Kumar, J)