

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58299 of 2015

Arising Out of Muffasil PS.Case No. -98 Year- 2015 Thana -MUNGER MUFFASIL District-
MUNGER

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Manoj Mandal, S/o Late Chhatri Mandal, R/o Village-Mai Chain Tola, P.S.-
Muffassil, District-Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arvind Kumar Singh, Advocate.

For the Opposite Party : Mr. Rajiv Nayan (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Muffasil
P.S. Case No. 98 of 2015 registered for the offence punishable
under Sections 25(1-b), A 25(1-A), 25(1-AA), 25(1-AC), 26(1) (2)
/35 of Arms Act.

Allegedly, from possession of the petitioner one bag
containing nine semi prepared pistol set, nine barrel, fourteen semi
prepared magazines, ten springs, five Hexa blade and one Rimur
were recovered.

Submission is of false implication and that there is no
independent witness of seizure list, two independent witnesses
have stated the name of one Manoj Yadav and not of the petitioner
vide paragraph-5 and 6 of the case diary, without obtaining

sanction and opinion of expert, charge sheet has been submitted, resulting which the petitioner is suffering in custody since 01.06.2015.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner has got criminal antecedent also as earlier he was an accused in Muffasil P.S. Case No. 91 of 2014 under Sections 25 (1-B) of Arms Act.

In the facts and circumstances stated above, considering that the earlier also the petitioner was involved in Arms Act case and as such at this stage, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Muffasil P.S. Case No. 98 of 2015 pending in the Court of learned Sub-Divisional Judicial Magistrate, Munger.

However, the trial Court is directed to expedite the trial and conclude the same as early as possible, preferably within six months after keeping the same on day to day basis, failing which the petitioner may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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