

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37008 of 2017

Arising Out of PS.Case No. -256 Year- 2016 Thana -KHARAGPUR District- MUNGER

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Bablu Mandal @ Bablu Kumar Son of Bodhan Mandal @ Niranjan Mandal
@ Niranjan Prasad @ Alakh Narain Mandal, Resident of Village- Nakki,
Police Station- Haveli Kharagpur (Shampur), District- Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 10-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 115,399,400,
402 of the Indian Penal Code and 25(1-b)a, 26(i), 35 of the Arms
Act.

Counsel for the petitioner submits that the allegation
of recovery of one country made pistol and live cartridges from his
possession is false and he is innocent. He is alleged to be part of
unlawful assembly in which Abhimanue Singh was also present
but the said Abhimanue Singh has already been granted bail by the
Court below in B.A. No. 264 of 2017 dated 28.04.2017. He further
submits that another co-accused Saurabh Kumar has also been
granted bail by this Court in Cr. Misc. No. 28700 of 2017.



Pursuant to the said statement he relies upon Annexure 4, which is the order dated 01.07.2017 passed in Cr. Misc. No. 28700 of 2017. He also draws the attention of this Court towards the seizure memo dated 29.12.2016, to show that the time on the said seizure list indicated as 03.15 a.m. which is before lodging of the FIR i.e., on 29.12.2016 at 03.30 a.m. He also submits that though prior to the instant case he is accused in other cases which have been disclosed in the instant petition but in all cases he is on bail. In fact, in one case he has already been acquitted. He is in custody since 30.12.2016.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IVth, Munger in Kharagpur (Shampur) P.S. Case No. 256 of 2016 subject to the conditions that (i) one of the bailors shall be a close relative of the petitioner (ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial (iii) That the petitioner will be well represented on each and every date and if he fails to do so on two consecutive dates without sufficient reason, his bail bond will be liable to be cancelled (v) the petitioner, with sureties, shall



produce following documents either Aadhar Card or Bank Passbook, Voter I Card and mobile numbers before the Court at the time of furnishing bail bond.

(Madhuresh Prasad, J)

Prakash/-

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