

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30656 of 2017

Arising Out of PS.Case No. -27 Year- 2016 Thana -ALAMNAGAR District- MADHEPURA

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Bhushan Mandal, son of Narayan Mandal, resident of Village- Khawan
Goriyari Tola, P.S.- Alamnagar (Patwara O.P.) District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-07-2017

Heard the learned counsel for the petitioner.

The petitioner seeks regular bail in connection with Alamnagar (Ratwara) P.S. Case No. 27 of 2016, registered for the offence punishable under Sections 25(1-B), 26/35 of the Arms Act.

The allegation is with regard to road robbery being committed by certain accused persons, however, the said accused persons are said to have fled away upon arrival of the police. Nonetheless, the police is said to have apprehended one Baloo Kumar on chase who is said to have disclosed the name of his co-associates.

The learned counsel for the petitioners submits that no recovery has been made from the person of the petitioner, hence Section 25(1-b) of the Arms Act would not be applicable in the



present case. It is further submitted that the petitioner has neither been apprehended nor any recovery has been made from his house or his person. In fact, he has voluntarily surrendered in the court below. It is further submitted that similarly situated co-accused persons have been granted bail by this Court by order dated 29.11.2016 in Cr. Misc. No. 51103 of 2016. It is also contended that so far as Alamnagar (Ratwara) P.S. Case No. 26 of 2016 is concerned, the same also pertains to the instant case and the petitioner has already been granted bail in the said case.

Having regard to the facts and circumstances of the case, more particularly the fact that the petitioner has already been granted bail in Alamnagar (Ratwara) P.S. Case No. 26 of 2016, the present case being offshoot of the same, I deem it fit and proper to enlarge the petitioner on bail.

Accordingly, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Uda-Kishanganj (Madhepura) in Alamnagar (Tatwara) P.S. Case No. 27 of 2016.

(Mohit Kumar Shah, J)

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