

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51992 of 2018

Arising Out of PS. Case No.-261 Year-2018 Thana- KAHALGAON District- Bhagalpur

Kailash Mandal S/o Late Chnanguri Mandal @ Dhanguri Mandal, R/o Vill.-
Athania Madanpur @ Athainia Mohanpur, P.S.- Pirpaiti, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner in the present case is seeking regular
bail in connection with kahalgaon (Ghogha) P. S. Case No. 261
of 2018 registered for the offences punishable under Sections
25(1-b)a, 26/35 of the Arms Act.

Learned counsel for the petitioner submits that as per
allegation, when the informant-Police Officer raided the Basa
(hut), Ganesh Mandal, Bhuneshwar Mandal and four miscreants
including the petitioner started fleeing from there but two of
them including the petitioner were apprehended. The allegation
is that the Police seized one loaded rifle and ten live cartridges
from the physical possession of the accused petitioner.

Learned counsel for the petitioner submits that this



petitioner has got no criminal antecedent and, in fact, the F.I.R. itself states that the alleged recovery has taken place from Diyara area where the Police party had gone to conduct raid. It is submitted that the petitioner is in custody in connection with this case since 30.04.2018 and considering that he has no criminal antecedent, his prayer of bail may be considered.

Learned counsel for the State has opposed the prayer of bail.

Considering the facts and circumstances of the case, particularly that the petitioner has no criminal history and at this stage the investigation is also complete, let the petitioner Kailash Mandal be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kahalgaon (Ghogha) P. S. Case No. 261 of 2018, subject to the condition laid down under Section 437 (3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

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