

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11770 of 2020

Arising Out of PS. Case No.-415 Year-2019 Thana- SAUR BAZAR District- Saharsa

Pintu Mandal Son of Devki Mandal Resident of Village - Paharpur, Ward No. 16, P.S.- Sour Bazar (Patarghat O.P.), Distt - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-06-2020 Heard learned counsel for the petitioner and learned A.P.P
for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Sour Bazar (Patarghat O.P.) P.S. Case no.415 of 2019 registered under sections 25(1-A), 25(1-B), 25(1-AA), 25(1-B)(a) and 26 of the Arms Act.

As per allegation in the F.I.R., on secret information having been received that illegal arms were being manufactured, a raid was conducted on the house of one Devki Mandal, the father of the petitioner herein. It is stated that while one person managed to escape, another person was caught and disclosed his name as Laltu Mandal. The said Laltu Mandal disclosed the name of the person who had escaped as being his brother, the



petitioner herein. It is stated that large number of articles used in manufacture of the arms were recovered as detailed in the F.I.R.

It is submitted by learned counsel for the petitioner that he lives separately from his brother and father since the year 2014 and no incriminating article has been recovered from his possession. He has been falsely implicated in this case only because of the relationship with the other co-accused. It is further submitted that even in course of investigation no material has transpired to contradict his statement that he lives separately. No independent witness has been examined and in fact no material has transpired to implicate him in the case.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the material that has come in course of investigation, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Sour Bazar (Patarghat O.P.) P.S. Case no.415 of 2019, he will be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount



each to the satisfaction of the learned C.J.M. Saharsa, subject to
the conditions laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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