

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12651 of 2020

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

Laltu Mandal, Son of Devki Mandal, Resident of Village - Paharpur, Ward
No. 16, Police Station - Sour Bazar (Patarghat O.P.), District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-06-2020 The matter has been taken up through virtual Court proceeding.

Heard Mr. Shailendra Kumar Singh, learned counsel for the petitioner and Mr. Uma Shankar Prasad Singh, learned APP for the State.

The present application has been preferred on behalf of the petitioner for grant of bail in connection with a case registered for the offences punishable under Sections 25(1-a)(1-b), 25(1-AA), 25(1-B)a/26 of the Arms Act, 1959.

The prosecution case, as per the written report Harishankar Choudhary, A.S.I., Patarghat O.P. submitted to the Station House Officer of Patarghat O.P., is to the effect that on



15.10.2019 at 10.05 A.M. during patrolling, a secret information was received that in village – Paharpur, Ward No. 16 in the house of Devki Mandal, illegal arms were being manufactured, consequently, a raid was laid and two persons were apprehended and in huge quantity, raw materials for manufacturing arms were recovered from the house of co-accused Devki Mandal and from the possession of the petitioner, country made pistol was recovered.

It is submitted by learned counsel for the petitioner that the raw materials for manufacturing illegal arms were recovered from the house of the father of the petitioner. The petitioner is accused in one another case in which he is on bail. The petitioner is languishing in custody since 16.10.2019 and the investigation has already been concluded.

Learned APP for the State submits that the recovery has been made from the possession of the petitioner.

Considering the fact that the investigation has already been concluded, statement being made in paragraph 3 of the petition that the petitioner is accused in one another case in which he is on bail and the period under custody, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one



surety to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 415 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond upon furnishing an undertaking by the surety, on photo copy of his Aadhar Card, to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties, including one surety given at the time of provisional bail, of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 415 of 2019.

The learned Court below is at liberty to further extend the period of provisional bail if the lockdown is not over in next three months.

The learned Court below will be at liberty to cancel



the bail bonds of the petitioner, if the petitioner gets substantially involved in similar nature of offence.

(Dinesh Kumar Singh, J)

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