

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16598 of 2021

Arising Out of PS. Case No.-388 Year-2020 Thana- CHANDI District- Nalanda

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Shri Mantu Kumar @ Sultana @ Balbant Kumar @ Mantu Kumar @
Shribant Kumar, male, aged about 30 years, Son of Rama Gop @ Ram
Nandan Prasad Resident of Village - Gaurapar, P.S. - Chandi, District-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-10-2021 The matter has been listed today for consideration
through Video Conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for short 'APP') for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

The petitioner seeks bail in Chandi PS Case No. 388 of
2020, instituted for the offence under Sections 25(1-b)a/26/35 of
the Arms Act.

One loaded country made pistol with two live cartridges
has allegedly been recovered from the petitioner.



It is submitted by the petitioner's counsel that it is a case of false implication on extraneous consideration. Recovery is not in accordance with law. The petitioner is said to be in custody since 29.08.2020, having no criminal antecedents.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-1, Nalanda at Bihar Sharif in connection with Chandi PS Case No. 388 of 2020, District-Nalanda, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each



date and if he fails to do so on two consecutive dates, his bail
bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shyambihari/-

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