

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42446 of 2021

Arising Out of PS. Case No.-98 Year-2021 Thana- JOKIHAT District- Araria

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BABLU KUMAR MANDAL @ BABLU MANDAL Son of Anandi Mandal
Resident of Village - Thengapur, P.S. - Jokihat, Dist. - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Lalan Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner, who is in custody since 07.03.2021,
seeks regular bail in connection with Jokihat P.S. Case No. 98 of
2021 for the offence punishable under Sections 25(1-b)a and 26
of the Arms Act.

The prosecution case, in brief, is that one country
made katta was recovered from the Godrej Almirah kept in the
house of the petitioner and accordingly seizure list was
prepared.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the petitioner has been made accused in the present case on the basis of his confessional statement made in connection with Jokihat P.S. Case No. 91 of 2021 which has been registered under Sections 457 and 380 of the Indian Penal Code. Nothing has been recovered from the conscious possession of the petitioner. The said recovery is from the joint house of the petitioner. The petitioner has been made accused in this case merely on suspicion. Petitioner is in custody since 07.03.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case and the period of custody of the petitioner, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Jokihat P.S. Case No. 98 of 2021, subject to the following conditions:-

- (1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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