

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43822 of 2021**

Arising Out of PS. Case No.-160 Year-2021 Thana- GHORASAHAN District- East
Champaran

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MANDEEP KUMAR Son of Krishna Rai Resident of Village- Tikuliya, P.S.-
Adapur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.
For the Opposite Party/s : Mr.Jai Narain Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 12-01-2022 The instant case has been taken up for consideration

through the mode of Video conferencing in view of the

prevailing situation on account of COVID 19 Pandemic,

requiring social distancing.

Heard the learned counsel for the petitioner and Sri

Jai Narain Thakur, the learned APP for the State.

The petitioner seeks regular bail in connection

with Ghorasahan (Jitna) PS case no. 160 of 2021 instituted for

the offences punishable under Sections 25(1-B)a, 26, 35 of

Arms Act.

The allegation is regarding the police having

intercepted the petitioner and upon search being made, as far as

the petitioner is concerned, one countrymade pistol along with



one live cartridge was recovered. It is also alleged that the accused persons including the petitioner herein, who were arrested from the spot, had snatched a sum of Rs. 5100/- from an employee of Finance Company earlier.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 06.05.2021. The learned counsel for the petitioner has further submitted that the other criminal cases, in which the petitioner is an accused, are under the provisions of the Bihar Prohibition and Excise Act and the petitioner is on bail in all the said cases. Lastly, it is submitted that no looted cash amount have been recovered from the possession of the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to



be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Sub Divisional Judicial Magistrate, Sikrahna at Dhaka, East Champaran in connection with Ghorasahan (Jitna) PS case no. 160 of 2021.

(Mohit Kumar Shah, J)

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