

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53225 of 2021**

Arising Out of PS. Case No.-23 Year-2021 Thana- ANDHRAMATH District- Madhubani

RAJDEO MANDAL SON OF CHANDESHWAR MANDAL R/O
VILLAGE- KUSHMAHI, P.S.- ANDHRAMATH, DISTRICT-
MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Prakritita Sharma

For the Opposite Party/s : Mr.Tapeshwar Sharma

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 12-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Andhramath Police Station Case No. 23 of 2021, registered for the offences punishable under Sections 399/401/402/414/34 of the Indian Penal Code and Sections 25 (1-b)a/26/35 of the Arms Act.

The prosecution case, as per the First Information Report, is that police got secret information that some accused persons have assembled in the house of co-accused Krishdeo Mandal and were planning to commit crime, raided the house of the co-accused Krishdeo Mandal and recovered country-made pistols from the possession of co-accused persons, namely,



Krishnadeo Mandal and Rahul Kumar Mandal. It has further been alleged that two motorcycles were also found parked near the house of the co-accused Krishnadeo Mandal.

Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has falsely been implicated in this case merely on the basis of the fact that he was standing near the house of co-accused Krishnadeo Mandal. He further submits that no fire arm and/or incriminating material has been recovered from the possession of the petitioner. He further submits that similarly situated co-accused, Deepak Kumar Sah has been granted bail by this Court vide order, dated 08.04.2022, passed in Criminal Misc. No. 51582 of 2021. He further submits that the petitioner is in custody since 03.03.2021 and charge sheet has been submitted against the petitioner and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that similarly situated co-accused Deepak Kumar Sah has been granted bail by this Court, no fire arm and/or incriminating material has been recovered from the possession of the petitioner, charge sheet has



already been submitted and the petitioner is in custody since 03.03.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jhanjharpur, Madhubani, in connection with Andhramath Police Station Case No. 23 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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