

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57054 of 2021

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

JIWANAND MANDAL S/O LAL DEO MANDAL R/o village- Dharahara,
P.S.- Andhramath, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar 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 20-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State through video
conferencing.

Petitioner seeks regular bail in connection with
Andhramath Police Station Case No. 23 of 2021, G.R. No. 355
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 the co-accused /
Krishnadev Mandal and were planning to commit crime, raided
the house of the co-accused / Krishnadev Mandal and recovered
country-made pistols from the possession of co-accused



persons, namely, Krishnadev Mandal and Rahul Kumar. It has further been alleged that two motorcycles were also found parked near the house of the co-accused Krishnadev 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 Krishnadev 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 and Rajdeo Mandal have been granted bail by this Court vide Cr. Misc. Nos. 51582 of 2021 & 53225 of 2021 respectively. He further submits that the petitioner is in custody since 3rd March, 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 if released on bail.

Regard being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record, the fact that similarly situated co-accused persons have 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 3rd March 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 regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Jhanjharpur, District-Madhubani in connection with Andhramath Police Station Case No. 23 of 2021, G.R. No. 355 / 2021.

(Anil Kumar Sinha, J)

praful/-

U		T	
---	--	---	--

