

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64126 of 2021

Arising Out of PS. Case No.-161 Year-2021 Thana- SABAUR District- Bhagalpur

Gurudeo Mandal Son of Late Lakshu Mandal Resident of Village -
Shankarpur, P.S.- Sabour, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 28-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from today.

In the present case, the petitioner seeks bail in
connection with Sabour P.S. Case No. 161 of 2021 registered for
the alleged offences under Sections 25(1)(1-AA), 25{1}(1-b)c,
26 and 28 of the Arms Act.

Prosecution of the case is that the house of the
petitioner was raided on receipt of secret information that the
petitioner has kept illegal arms in his house. One country made
musket, three live cartridges along with drill machine and other
equipments was recovered from the house of the petitioner who
was apprehended from the spot.



The learned counsel for the petitioner submits that he is innocent and nothing has been recovered from his conscious possession as the house from the recovery is stated to be made is in his joint possession. There is no witness to the alleged recovery and the petitioner is in custody since 25.06.2021 and he is having clean antecedent.

Learned A.P.P. for the State has opposed the prayer of bail made on behalf of the petitioner. Learned A.P.P. submits that illegal arms along with live cartridges, drill machine and chisels are recovered from the house of the petitioner.

Having regard to the submissions made hereinabove and considering the period of detention of the petitioner, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-IV, Bhagalpur in connection with Sabour P.S. Case No. 161 of 2021, subject to the following conditions :

(i) The bail bond of the petitioner shall be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.



(iii) The petitioner will remain present on each and every day fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

ved/-

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