

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1834 of 2022

Arising Out of PS. Case No.-237 Year-2021 Thana- SABAUR District- Bhagalpur

RAJDEV KUMAR MANDAL @ FUDO MANDAL S/o Late Jagdish Mandal
R/o village- Babupur, P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 25(1-B)(a) and 26 of the Arms Act and section 18(c) of the Drug and Cosmetics Act, 1940.

As per the prosecution case, on a search being conducted, a country made pistol and cough syrup as detailed in the FIR were recovered from the house of the petitioner.

It is submitted by learned counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article as alleged was recovered from his house. He is in custody since 10.9.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.



Having heard learned counsel for the parties and on perusal of the report received from the Bihar Drugs Control Laboratory, Government of Bihar it transpires that the contents of the cough syrup conform to the prescribed limit.

Taking into consideration the facts and circumstances of the case, the material that has transpired in course of the investigation, the petitioner having remained in custody for more than a year since 10.9.2021 and chargesheet has been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Drug and Cosmetic Case No. 6 of 2021 (arising out of Sabour P.S. Case no.237 of 2021) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I, Bhagalpur.

(Partha Sarthy, J)

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