

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15308 of 2023

Arising Out of PS. Case No.-67 Year-2021 Thana- SABAUR District- Bhagalpur

Jairam Mandal, S/o Rohni Mandal, R/O Village- Rajandipur, P.S.- Sabour,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 21-06-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sabour P.S. Case No. 67 of 2021 dated 08.03.2021 registered
for the offences punishable under Sections 25(1) (1-AA), 25, (1-
1-b)c, 26 and 28 of the Arms Act.

3. This is second attempt of the petitioner for the
relief of regular bail after his earlier attempt for the same relief
was rejected by this court vide order dated 03.08.2022 passed in
Cr. Misc. No. 22046 of 2022 preferred by this petitioner and
now the petitioner has come again for the same relief mainly on
the ground of liberty given to him in the earlier rejection order.

4. As per allegation, from the house of the petitioner
four country made pistols, two country made muskets, several



live cartridges, half manufactured firearms and several equipments used in manufacturing of firearms were recovered.

5. It is submitted by learned counsel for the petitioner that Cr. Misc. No. 22046 of 2022 earlier preferred by petitioner for the relief of regular bail was rejected by this court with a direction given to the trial court to expedite the trial of the petitioner and conclude the same at earliest, preferably within six months from the date of that order and petitioner was given liberty to renew his bail prayer if his trial is not concluded within the said period and accordingly in the light of the said liberty given by this court the petitioner has come again before this court for the same relief as his trial is still running and after filing the instant petition this court called for a report regarding the status of the petitioner's trial and the same has been received and as per the report of the trial court only one prosecution witness out of eight chargesheet witnesses has been examined till the sending of the said report. Further submissions are that the petitioner has been languishing in jail since 09.03.2021 and he has fair and clean antecedent and he is aged about 56 years.

6. Learned APP appearing for the State opposes the bail prayer.

7. Though there is a serious allegation against this



petitioner but considering his custody period which has been about two years and three months and also prosecution's lingering attitude and slowness in producing and examining the prosecution witnesses before the trial court, in the opinion of this court, the petitioner now deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sabour P.S. Case No. 67 of 2021.

(Shailendra Singh, J)

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