

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45897 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- SANOKHAR District- Bhagalpur

ARBIND MANDAL S/O RAMANAND MANDAL R/O Village- Srimatpur,
P.S- Amdanda, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46318 of 2023

Arising Out of PS. Case No.-90 Year-2023 Thana- SANOKHAR District- Bhagalpur

GANESH MANDAL Son of Late Jagdish Mandal Resident of village -
Srimathpur, P.S. - Amdanda, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 45897 of 2023)

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

(In CRIMINAL MISCELLANEOUS No. 46318 of 2023)

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a
case instituted for the offence under Sections 25(1-b)A, 35 and
26 of the Arms Act.

3. As per prosecution case, on receiving a secret



information that three persons showing fear of arms are looting people at Uttar Bagrohiya, thereafter the police personnel reached at that place. Three persons apprehended on spot, out of whom from these petitioners, there has been recovery of one loaded country-made pistol from petitioner namely, Ganesh Mandal and cash of Rs. 27,500/- and one mobile from petitioner namely, Arbind Mandal.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. The petitioners have no concern with the alleged arms and cartridges, which were seized by the police. The petitioner namely, Arvind Mandal was present in the field and thresure machine for preparing wheat was running in his agricultural field in the meantime, a local businessman paid price of wheat for purchasing the same in the tune of Rs. 27,500/- to him. Only on the basis of suspicion and due to high handedness of the police, these petitioners have been implicated in the present case. The provision of Section 100 of the Cr.P.C. has not followed in this case. They are languishing in judicial custody since 13.04.2023.

The application for bail is opposed by learned APP for the State.



Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as the period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Sanokhar P.S. Case No. 90 of 2023.

(Sunil Kumar Panwar, J)

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