

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61432 of 2023**

Arising Out of PS. Case No.-35 Year-2023 Thana- KASIMBAZAR District- Munger

Deepak Mandal S/O- Katiman Mandal R/O- Bindwara (Sarman Tola), P.S.-
Kasim Bazar, Dist- Munger.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 25(1-b)a, 26(i)(ii)(iii), 35 of the Arms Act.

3. As per FIR, persecution case relates to recovery of some arms and ammunition from house of co-accused and the petitioner is alleged to have indulged in business of trading illegal arms.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The alleged recovery has been made from possession of co-accused Jitendra Gupta with whom, the petitioner has no concern. The name of the petitioner



was disclosed by co-accused person. It is further submitted that the seizure list witness are police officials, not a single independent witness which violates section 100 of Cr.P.C. Similarly situated co-accused namely, Jitendra Gupta has already been granted bail by this Court vide order dt. 23.6.2023 passed in Cr. Misc. No. 33609 of 2023. Moreover, the petitioner is languishing in judicial custody since 14.2.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kasim Bazar P.S. Case No. 35 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Munger/ concerned Court.

(Sunil Kumar Panwar, J)

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