

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59473 of 2023

Arising Out of PS. Case No.-229 Year-2022 Thana- CHAUSA District- Madhepura

Laddu Mandal S/O Late Karelal Mandal Village- Nawtoliya Ghasakpur, Ps-
Chausa, Dist- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 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 and 26 of the Arms Act.

3. Prosecution case relates to recovery of one country made pistol along with one live cartridge.

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 due to highhandedness of police. It is further submitted that one Om Prakash Mandal tried to kill the petitioner due to enmity by firearm but petitioner saved himself and with the co-operation of local people, snatched the alleged weapon from him and handed over to



police, but the I.O of the case in collusion with Om Prakash Mandal lodged false case against the petitioner. Nothing has been recovered from the conscious possession of the petitioner and also he has no concern with the seized recovery. The provision of 100 Cr.P.C. has not been followed in this case. Moreover, the petitioner is languishing in judicial custody since 15.05.2023.

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

6. Having heard learned counsel for the parties and 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 Chausa P.S. Case No. 229 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Udakishunganj, Madhepura.

(Sunil Kumar Panwar, J)

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