

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70906 of 2022**

Arising Out of PS. Case No.-340 Year-2022 Thana- KEWATI District- Darbhanga

SHIVA MANDAL @ SHIVA KUMAR MANDAL @ SHIV KUMAR
MANDAL S/o Arjun Mandal R/o Village- Mamal, P.S.- Sadar Distt-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar, Advocate.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER**

2 05-04-2023 Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Kewati P. S. Case No. 340 of 2022 dated 01.10.2022 registered
for the offences punishable under Sections 25(1-b)a, 26 and 35
of the Arms Act.

As per the prosecution case, on seeing the police,
three miscreants boarded on two motorcycles started fleeing



away. On chase, two of them namely Chotu Kumar Mandal and Shiva Mandal @ Shiva Kumar Mandal @ Shiv Kumar Mandal (the petitioner) were apprehended by the police who disclosed the name of their third associate who managed to flee away from the place of occurrence as Rohit Kumar Mandal. On search, one loaded country-made pistol was recovered from the possession of the petitioner and one cartridge was also recovered from the possession of the co-accused Chhotu Kumar Mandal.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence as alleged has ever taken place. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.10.2022.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Kewati P. S. Case No. 340 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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