

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56581 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- Fekla District- Darbhanga

Vishal Kumar @ Vishal Kumar Mandal S/O Kameshwar Mandal R/O Village-
Kushothar, P.S- Fekla, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Fekla P.S. Case No. 24 of 2024 instituted for the offences
punishable under Sections 25(1-b)a, 26 and 35 of the Arms
Act.

3. As per the prosecution case, a country made
pistol and a mobile was recovered from the possession of
Amarjeet Kumar and a mobile phone of Vivo company was
recovered from the possession of Vishal Kumar and a Smart
mobile phone of Vivo company was recovered from the
possession of Mukesh Kumar and from the possession of



Nitesh Mandal a mobile phone of Vivo Company Y 16, a pulsar motorcycle bearing registration no. BR07AH 2849 and cash of Rs. 9,500/- was recovered from the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to local village politics. He further submits that there is no direct allegation of recovery of any arms or ammunition from the possession of the petitioner. It is next submitted that one of the co-accused has already granted bail by this Court in Cr. Misc. No. 49682 of 2024. Petitioner has got no criminal antecedent as stated in para 3 of the petition and he is in custody since 26.05.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and the impugned order 19.07.2024, it appears that there is no any recovery of arms and ammunition from the possession of the petitioner and the mobile phone which has been seized is recovered from the possession of the Mukesh Kumar and there is no any independent witness of the seizure list,



accordingly the prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Darbhanga in connection with Fekla P.S. Case No. 24 of 2024.

(Ramesh Chand Malviya, J)

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