

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68886 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- BIHARIGANJ District- Madhepura

NAVEEN MANDAL @ AASHIK RAJ Son of Nawal Kishore Mandal
@Rajeev Mandal @ Rajeev Ranjan Mandal @ Ranjiv Ranjan Resident of
Village - Sarauni Kala, Ward No. 02, Police Station - Bihariganj, District –
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.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 29-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bihariganj P.S. Case No. 112 of 2023 registered on 10.05.2023
lodged under Sections 25(1-AA), 25(1-b)a, 26 of the Arms Act
and 8(c)/21B of NDPS Act.

3. As per the prosecution case, F.I.R. has been lodged
against the petitioner against whom there is an allegation that
country made pistol, cartridges and smack have been recovered
from the back side of the newly constructed house below the
stairs.



4. Counsel for the petitioner submits that the recovery of Smack weighing 94.680 gm has been recovered which is below commercial quantity but more than small quantity.

5. Counsel further submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 11.05.2023 having twelve criminal case pending against him, in which he is on bail.

6. Learned counsel for the informant opposes the prayer for bail and submits that from content of the F.I.R., it is crystal clear that the said recovery has been made from the backside of the petitioner's house where country made pistol, live cartridges along with Smack of 94.980 gm has also been recovered.

7. Learned counsel for the State opposes the prayer for bail and submits that petitioner has 12 antecedent and this aspect may be taken into consideration at the time of granting bail.

8. In the present facts and circumstances of this case, this Court is not inclined to grant bail to the petitioner. However petitioner is at liberty to renew his prayer for bail 9 months after framing of charge.

9. Accordingly, the bail application of the petitioner



stands rejected.

(Dr. Anshuman, J)

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