

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70480 of 2024

Arising Out of PS. Case No.-192 Year-2024 Thana- SURSAND District- Sitamarhi

Manish Mandal @ Manish Kumar Son of Kamlesh Mandal R/O Village-
Gopalpur ward no. -12, P.S.- Sursand, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 10-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sursand
P.S. Case No. 192 of 2024 instituted for the offences under
Section 25(1-B)a, 26, 35 of the Arms Act.

3. As per prosecution case, the police has recovered
one country-made *Katta* and two live cartridges from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to dirty village politics and biased intention. He further
submits that nothing incriminating has been recovered from the



conscious possession of the petitioner. The petitioner has nothing to do with the affairs of the other co-accused persons and has also no concern with the recovered articles or the seized materials. The police has forcibly took the signature of the petitioner on the plain paper and, later on, converted the same into seizure list. Earlier the petitioner was arrested in Sursand P.S. Case No. 191 of 2024 and remanded in this case on 26.06.2024 on the basis of the confessional statement of the petitioner in the aforesaid Sursand P.S. Case No. 191 of 2024. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 20.06.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stated that the petitioner is named in the F.I.R. and the offence alleged against the petitioner is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Court
below/concerned Court in connection with Sursand P.S. Case
No. 192 of 2024.

(Rudra Prakash Mishra, J)

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