

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73305 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- SABAUR District- Bhagalpur

Amik Kumar Mandal S/o Late Chhedi Mandal R/o Village- Rajandipur, P.S.-
Sabour, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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

ORAL ORDER

3 04-12-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Sabour P.S. Case No.
146 of 2024, instituted for the offences punishable under
Sections 385, 386, 387 of the Indian Penal Code, Sections 25(1),
25(1-AA), 25(1-B)(c), 26, 28 and 35 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
was running a mini gun factory at his house and used to supply
the same. On information, police raided his house and recovered
several type of illegal weapons, arms and ammunition from the
house of petitioner. The petitioner was arrested on spot by the
police.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the alleged recovery has been made from joint house of the petitioner where other family members also reside. It is further submitted that the petitioner has got no concern with the alleged recovery of arms. The petitioner is in custody since 19.04.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is also submitted that the petitioner was running a mini gun factory of illegal arms and ammunition in his house. It is further submitted that informant vide paragraph no. 18 and witnesses vide paragraph nos. 19, 20, 21, 24 and 25 of the case diary have fully supported the prosecution case. The Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, at this stage this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

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