

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6603 of 2025**

Arising Out of PS. Case No.-78 Year-2024 Thana- Narhiya District- Madhubani

Raja Kumar Mandal S/O Vijay Mandal @ Vijay Kumar Mandal R/O Village-
Bhagwanpur, P.S- Narahia, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Narahiya P.S. Case No. 78 of 2024 instituted for the offences
under Sections 317(5), 3(5) of the Bharatiya Nyaya Sanhita and
30(a) of the Bihar Prohibition and Excise Act and 25(1-b)a, 26,
35 of the Arms Act.

3. The prosecution case, in short, is that 600 ml of
illicit liquor has been recovered from the co-accused person. It
is further alleged that one country-made pistol and one live
cartridge has been recovered from the petitioner.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is neither concerned with the arms and ammunitions nor with the liquor. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.10.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023. The co-accused person has already been granted bail by this Court vide order dated 08.01.2025 passed in Cr. Misc. No. 88160 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Narahiya P.S. Case



No. 78 of 2024.

(Rudra Prakash Mishra, J)

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