

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6685 of 2025

Arising Out of PS. Case No.-397 Year-2024 Thana- SABAUR District- Bhagalpur

- 1. Tetar Mandal S/o Umesh Mandal R/vill- Lailakh, PS- Sabour, Dist- Bhagalpur
- 2. Tinku Mahaldar S/o Late Meto Mahaldar R/vill- Lailakh, PS- Sabour, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 8452 of 2025

Arising Out of PS. Case No.-397 Year-2024 Thana- SABAUR District- Bhagalpur

- 1. Sikandar Mandal @ Sikandar Kumar Son of Boudhu Mahaldar village- Udayrampur, Ps- Kahalgoan, Dist- Bhagalpur
- 2. Bambam Kumar son of Kaleshwar Mandal village- Udayrampur, Ps- Kahalgoan, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 16430 of 2025

Arising Out of PS. Case No.-397 Year-2024 Thana- SABAUR District- Bhagalpur

Pappu Mandal Sakal Mandal Resident of Village- Lailakh, P.S.- Sabour, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 17223 of 2025

Arising Out of PS. Case No.-397 Year-2024 Thana- SABAUR District- Bhagalpur

Kailash Nishad @ Kailash Mandal Son of Late Jageshwar Mandal Resident of Village- Lailakh, P.s.- Sabour, Distt.- Bhagalpur

... .. Petitioner/s

Versus



The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 6685 of 2025)

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

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 8452 of 2025)

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

For the Opposite Party/s : Mr. Ganesh Prasad Singh, App

(In CRIMINAL MISCELLANEOUS No. 16430 of 2025)

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

(In CRIMINAL MISCELLANEOUS No. 17223 of 2025)

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

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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

ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. Petitioners are in custody in a case registered for an offence punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 140(1), 352, 351(4), 61(2) of the B.N.S and Section 25(1-B)(i), 9,26, 35, 27 of the Arms Act in connection with Sabaur P.S. Case No.397 of 2024.

3. As per the prosecution case, on 12.11.2024 when the informant along with the armed forces proceeded for morning patrolling then he got information that 20-25 miscreants reached with arms at Lailakh Bahiyar started indiscriminate firing from the dam of Shankarpur on the villagers of Shankarpur and in this course, one person has been kidnapped by the accused persons, namely, Sitaram Mandal



with intention to kill him, who has also sustained injuries by the accused persons and when police party reached towards them, 15-20 persons having small and big weapons in their hands were crossing over the river on boat but informant surrounded them with the help of force upon which 12 persons were caught and many articles were recovered from the possession of the accused persons.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. He further submits that no arms has been recovered from the conscious possession of the present petitioners. He next submits that investigation has already been concluded and accordingly, chargesheet has been submitted by the police. He further submits that all injuries sustained by the injured, namely, Sitaram Mandal are opined by the doctor as simple in nature caused by hard and blunt substance. He further submits that there is general and omnibus allegation levelled against the petitioners and there is no specific allegation of overt act against the petitioners. Petitioners are in custody since 13.11.2024. He further submits that petitioners in Cr. Misc. No. 6685 of 2025 have got one criminal antecedent, petitioners in Cr. Misc. No.8452 of 2025 have got no criminal antecedent, petitioners in



Cr. Misc. No. 16430 of 2025 has got one criminal antecedent and petitioner in Cr. Misc.No.17223 of 2025 has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, submission of the learned counsel for the petitioners as well as the fact that and no arms has been recovered from the conscious possession of the petitioners and also the fact that injuries sustained by the injured, namely, Sitaram Mandal are opined by the doctor as simple in nature caused by hard and blunt substance, let the above named petitioners be released on bail, on his furnishing bail bonds of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Sabaur P.S. Case No.397 of 2024.

(Ramesh Chand Malviya, J)

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