

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13217 of 2025

Arising out of PS. Case No.-196 Year-2024 Thana- TIKAPATTI District- Purnia

Sudama Mandal @ Pagla, Son of Late Chaman Mandal, Resident of Village -
Simra, Ward No.5, P.S. - Tikapatti, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhola Prasad, Advocate
		Mr. Indajeet Kumar, Advocate
		Mrs. Kajol Kumari, Advocate
For the Opposite Party/s:		Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 01-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Tikapatti P.S. Case No. 196 of 2024 instituted for the offences under Sections 25(1-b)a/26 of the Arms Act.

3. The prosecution case is to the effect that one Sub-inspector of Police during night duty went to the house of the petitioner and on search it was found that one country-made pistol and 12 live cartridges with small knife were kept in the courtyard.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has falsely been implicated in this case and no incriminating article has been recovered from his conscious possession rather so-called recovery was made



from the courtyard of the petitioner's house. It is further submitted by learned counsel for the petitioner that the petitioner carries three criminal antecedents which is mentioned in para 3 of the bail application, however, he is seventy one years old man and he was not aware of such incriminating articles which were kept there in the courtyard.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that the petitioner carries three criminal antecedents one of which is similar in nature and, hence, he does not deserve liberty of bail.

6. Considering the aforesaid submissions of respective counsels and taking into account the fact that petitioner is aged about seventy one years and the recovery was made from the courtyard and not from the conscious possession of the petitioner, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Judicial Magistrate, 1st Class, Purnia in connection with Tikapatti P.S. Case No. 196 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a



close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

7. In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Purnia within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

(Sourendra Pandey, J)

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