

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15297 of 2025

Arising Out of PS. Case No.-62 Year-2024 Thana- Sonki District- Darbhanga

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Kishan Mandal @ Kishun Mandal S/O Ramvilas Mandal Resident of village-
Chikni, P.S.- Sonki, District- Darbhanga- 846009

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ugranath Mallik

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 19-03-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Sonki Police Station Case No. 62 of 2024, disclosing offences under Sections 310(4) 310(5), 317(5), 111 of the BNS, 2023 and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the FIR, the police after getting the secret information on 08.09.2024, that some miscreants have assembled near the coffee shop and were planning to commit crime, reached near the Sonki Coffee Shop and saw five to six persons sitting on motorcycle and upon seeing the police party, they tried to flee away and upon chase, two of them were arrested and 3 to 4 persons managed to escape. It has further been alleged that the arrested accused persons disclosed their names as Mithun Kumar



and Sumit Kumar and Mithun Kumar disclosed the name of this petitioner and other co-accused persons, who became successful in fleeing away. Police recovered one cartridge from the pocket of Mithun Kumar and one oppo mobile and also recovered one mobile from the pocket of Sumit Kumar. On the basis of recovered mobile, a video was detected in which both the arrested persons were holding weapons in their hands. On inquiry, they disclosed that the weapon belonged to Mithun Kumar which has been kept in the possession of Phulo Chaupal @ Badri. He further disclosed that they assembled at the place and were waiting for the other accused persons including the petitioner in order to commit robbery and other crimes. The police further raided the house of Phulo Chaupal and recovered one unloaded pistol.

4. Learned counsel for the petitioner submits that the petitioner is having no criminal antecedent and he has been made accused on the basis of disclosure made by arrested co-accused persons that they were waiting for arrival of the petitioner and others in order to commit crime. The petitioner is not one of the person who was present at the time of raid by the police and succeeded in fleeing away. No incriminating material has been recovered from the possession or premises of the petitioner. He has also submitted that on exactly similar footing, co-accused Shiv Mandal has been granted anticipatory bail by a coordinate Bench



of this Court vide order dated 04.02.2025 in Cr. Misc. No. 90383 of 2024.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent and his name has come on the basis of disclosure made by the arrested co-accused from whose possession, one cartridge was recovered, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Darbhanga, in connection with Sonki Police Station Case No. 62 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nawneet Kumar Pandey, J)

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