

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22309 of 2025

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

Asan Mandal @ Ashan Mandal son of Uttam Mandal Village -Lailakh, Ps-
Sabour, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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

ORAL ORDER

2 24-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sabour
P.S. Case No. 397 of 2024 instituted for the offence under
Sections 191(2), 191(3), 190, 126(2), 115(2), 109, 140(1), 352,
351(4) & 61(2) of the Bharatiya Nyaya Sanhita, 2023 and
Section 25(1-b)(i), 9, 26, 35 & 27 of the Arms Act.

3. As per 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 and started indiscriminate
firing from the dam of Shankarpur on the villagers on
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. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13-11-2024. Petitioner bears no criminal antecedent/s, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. He further submits that no arms has been recovered from the conscious possession of the petitioner. Charge sheet is submitted in this case. Injury sustained by injured is found to be simple in nature. He further submits that there is general and omnibus allegation levelled against the petitioner and there is no specific allegation of overt act against the petitioner. Similarly co-accused persons have been granted bail by a Co-ordinate Bench of this Court vide order dated 19-04-2025, passed in Cr.



Misc. No. 6685 of 2025.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no specific allegation against the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Sabour P.S. Case No. 397 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

