

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38823 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- SAHARSA RAIL P.S District- Khagaria

Chanki Mandal S/O Rudra Mandal Resident of Village- Kajichak Jhitkiya,
PS- Maheshkhunt, District- Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar Singh, Advocate

For the State : Dr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Sahara Rail P.S. Case No. 17 of 2025, dated 22.03.2025, registered for the offences punishable under Sections 313, 317 (5) of the B.N.S., 2023.

3. As per allegation, the informant got and information that 5-6 persons are present at Baijnathpur Railway Station, who are suspected thieves. Thereafter, the police raided the place and one Sujit Kumar @ Socho was arrested. The said Sujit Kumar @ Socho disclosed the name of other co-accused persons including the Petitioner. On search, Rs.20,000/- in cash and some articles were recovered from Sujit Kumar. The police attempted to search the houses of the co-accused persons but their houses were found locked.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no legally admissible material against the Petitioner, nor anything has been recovered from the possession of the Petitioner. This is not prosecution but literally a persecution. It is a violation of all norms of the civil society by police, who is supposed to be the protector of life and liberty of the people. This case is one of the illustrative cases where people are being harassed unnecessarily without any legal sanction. The co-accused, Mohan Kumar Sahni, from whom some recovery has been made, has already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated. 27.08.2025 passed in Cr.Misc. No. 55070 of 2025.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named,



to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Sahara Rail P.S. Case No. 17 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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