

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39017 of 2025

Arising Out of PS. Case No.-323 Year-2023 Thana- SAUR BAZAR District- Saharsa

Rajesh Mandal Son of Bhado Mandal @ Gajendra Mandal, Resident of
Village- Pama, Basa Tola, Ward no. 13, P.S.-Sour Bazar (O.P. Patarghat),
Distt.- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
		Mr. Manoj Kumar, Advocate
		Ms. Pooja Prasad, Advocate
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Saur Bazar (Patarghat O.P.) P.S. Case No. 323 of 2023, registered for the offences punishable under Sections 25(1-A), 25(1-AA), 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, on receiving secret information, a raid was conducted at the house of co-accused Pintu Mandal and three persons fled away from the said house of co-accused. The local people assembled there disclosed the name of this petitioner along with co-accused Pintu Mandal and Manish Sharma as the persons who fled away from the spot.



From the search of the house of co-accused Pintu Mandal, recovery of complete and semi-complete *katta* along with a number of articles used in manufacturing of fire-arms and number of pieces of articles used in preparation of such fire-arms was made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Petitioner has no concern with the co-accused and he has not committed any offence. Nothing incriminating has been recovered from the person or possession of this petitioner. Whatever recovery has been shown it was made from the house of co-accused Pintu Mandal. The co-accused Pintu Mandal from whose house recovery has been made has been granted bail by a co-ordinate Bench of this Court *vide* order dated 02.05.2025 passed in Cr. Misc. No. 11398 of 2025. Learned counsel next submits that petitioner is having antecedent of two cases and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 07.01.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner and submits that large number of articles including the arms,



ammunition and manufacturing equipments were seized from the house of co-accused and petitioner was also found involved. Learned APP further submits that petitioner appears to be a habitual offender and is accused in two cases of similar nature.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner was not apprehended from the spot and further considering petitioner's period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa / concerned Court, in connection with **Saur Bazar (Patarghat O.P.) P.S. Case No. 323 of 2023**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other 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 non-appearance of the petitioner on



single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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