

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47422 of 2025

Arising Out of PS. Case No.-146 Year-2024 Thana- SABAUR District- Bhagalpur

Amik Kumar Mandal S/O Late Chhedi Mandal R/O Vill.- Rajandipur, P.S.-
Sabour, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

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

ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sabour P.S. Case No.
146 of 2024, instituted for the offences punishable under
Sections 385, 386, 387 of the Indian Penal Code, Sections 25(1),
25(1-AA), 25(1-B)(c), 26, 28 and 35 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
was running a mini gun factory at his house and used to supply
the same. On information, police raided his house and recovered
several type of illegal weapons, arms and ammunition from the
house of petitioner. The petitioner was arrested on spot by the
police.

4. The petitioner has renewed his prayer for grant of



regular bail which was earlier rejected by this Court vide order dated 04.12.2024 passed in Cr. Misc. No. 73305 of 2024.

5. Learned counsel for the petitioner submits that the petitioner is in custody since 19.04.2024. He further submits that the charge has been framed on 07.02.2025 but, till date, no witness has been examined and, thus, there is no likelihood of conclusion of the trial in near future.

6. In compliance to the order of this Court dated 10.07.2025, the learned court below has sent report dated 22.07.2025 regarding present stage of trial.

7. The report of the learned District and Additional Sessions Judge -XIX, Bhagalpur dated 22.07.2025 shows that out of seven charge-sheeted witnesses, no witness has been examined on behalf of the prosecution. It is further stated that six months is expected to conclude the trial.

8. Having heard learned counsel for the parties, this Court finds that the petitioner is in custody since 19.04.2024 and out of total seven charge-sheeted witnesses, not a single witness has been examined on behalf of the prosecution.

9. In that view of the matter, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen 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. 146 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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