

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80309 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- PARBATTa District- Khagaria

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Suman Kumar Mandal @ Sundan @ Sudan S/O Chandani Mandal R/O
Village- Khanua Raka, P.S- Parbatta, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap
For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2.The petitioner seeks bail in connection with
Parbatta P.S. Case No. 244 of 2024 registered for the offences
punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per prosecution case, one country made pistol
was recovered from the possession of the petitioner and after
unloading the pistol, one cartridge was recovered. It is further
alleged that three cartridges were also recovered from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 17.06.2024 and bears criminal
antecedent of one case in which he is already on bail. He further
submits that charge sheet has been submitted in the case and



there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that seizure list has not been prepared as per law. He further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Khagaria in connection with Parbatta P.S. Case No. 244 of 2024, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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