

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25237 of 2026

Arising Out of PS. Case No.-192 Year-2024 Thana- SURSAND District- Sitamarhi

Raunak Kumar, Son of Khelawan Mandal, Resident Of Village- Gopalpur,
PS- Sursand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 30-04-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 25(1-b), (a), 26 and 35 of the Arms Act.

3. On the basis of confessional statement of co-accused Manish Mandal who was arrested in Sursand P.S. Case No. 191 of 2024, police recovered a countrymade pistol and two live cartridge from the mango orchard of Manish Mandal and petitioner was made accused in the present case.

4. Learned counsel for the petitioner submits that it would be apparent from the first information report itself that during course of raid one country made pistol and two live cartridges were recovered from the mango orchard of one



Manish Mandal which was recovered at his instance. It has also been admitted in the FIR itself that there is no independent witness to the seizure list, thereby, causing violation of the mandatory provisions of search and seizure. However, in the last portion of the FIR the name of the present petitioner has also appeared as an accused. It is further submitted that no recovery has been made from the personal or conscious possession or even from the house of the petitioner and he has only been made an accused on account of his criminal antecedents.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Taking into consideration the facts and circumstances of the case and considering the fact that the recovery has been made from an open place at the instance of co-accused Manish Mandal, who has already been granted regular bail and the name of petitioner merely transpired on suspicion in the FIR, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor



Court in connection with Sursand P.S. Case No. 192 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to condition(s) that:

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall co-operate with the investigation, if not already concluded and make themselves available as and when so required, failing which the prosecution will be at liberty to move cancellation of their bail bond.

(Soni Shrivastava, J)

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