IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67650 of 2026

CNR No. BRHC010849362026

Arising Out of PS. Case No.-325 Year-2026 Thana- BANKA District- Banka

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Krishna Kumar Mandal S/o Madhusudan Mandal Resident of Village - Madusudanpur, P.S. - Barahat, District - Banka. At present Residing at Village - Malik Tola, P.S. - Banka District - Banka

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.
Mr. Rabi Bhushan, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

4 20-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. This is an application for regular bail to the petitioner who has been made accused in connection with Banka P.S. Case No. 325 of 2026 registered for the offences punishable under Sections 25(1-B)a, 26 of the Arms Act.

3. As per the prosecution case, there is a recovery of one 0.315 bore iron country made pistol and a small purse containing 07 live 0.315 bore cartridges from beneath the bed sheet on the cot kept in the room. When asked the petitioner failed to produce the documents and the articles were seized.

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4. Learned counsel for the petitioner submits that petitioner is quite innocent, has committed no offence and has falsely been implicated in this case due to ulterior motives and oblique reasons. No incriminating article has been recovered from the personal possession of this petitioner rather the recovery was made from the joint house occupied by several family members.

5. It is submitted that there is no independent witness and all the witnesses are police officials which a completion violation of Section 103(4) and (6) of the BNSS. There is no substantive material showing the participation of this petitioner in the offence, hence, no offence under Sections 25(1-B)(a), 26 Arms Act is made out. Petitioner is a law abiding citizen having clean antecedent and is languishing in judicial custody since 14.06.2026. Investigation has been completed and charge-sheet has already been filed.

6. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into consideration the materials available on record, let the petitioner, above named, be released on bail on furnishing bail

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bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/concerned court in connection with Banka P.S. Case No. 325 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(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.

(Kumar Manish, J)

Abhishek/-

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