

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.665 of 2026

Arising Out of PS. Case No.-191 Year-2025 Thana- MANIHARI District- Katihar

1. Kariya Mandal @ Mukesh Kumar @ Mukesh, S/o Ram Bilash Mandal, Resident of Village- Chhoti Baghmara, P.S.- Manihari, District- Katihar.
2. Pankaj Kumar Mandal @ Pankaj, S/o Dilip Mandal, Resident of Village- Chhoti Baghmara, P.S.- Manihari, District- Katihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Parties

Appearance :

For the Petitioners	:	Md. Musowir, Advocate
For the State	:	Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-01-2026 The petition on behalf of the Petitioner No.2, Pankaj Kumar Mandal has become infructuous in view of his arrest.

2. Heard learned counsel for the petitioner and learned APP for the State.

3. The petitioner seeks bail, apprehending his arrest, in connection with Manihari P.S. Case No. 191 of 2025, dated.20.07.2025 registered for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act.

4. As per allegation, three persons including the Petitioner were riding a motorcycle and seeing the police two persons including the Petitioner fled away, whereas the third co-accused, Fantus Parihar was apprehended on the spot and one



country made pistol and one live cartridge was recovered from him. The name of the Petitioner has transpired in the confessional statement of the co-accused, Fantus Parihar before the police.

5. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case only on the basis of the confessional statement of the co-accused, which has no evidentiary value. He further submits that no incriminating material has been recovered from the possession of the Petitioner and he has nothing to do with the alleged offence.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

7. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

8. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the



date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Manihari P.S. Case No. 191 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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