

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7138 of 2024

Arising Out of PS. Case No.-199 Year-2023 Thana- KIUL RAIL P.S. District- Lakhisarai

Rahul Kumar @ Rohan Kumar, aged about 21 years, Son of Shital Yadav R/o
Naya Tola, P.S. - Fatuha, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for an offence punishable under Sections 25(1-B) and 26 of the Arms Act.

3. As per allegation in the FIR, it is a case of recovery of one fire arm from the waist of the petitioner made in USA and one mobile phone having two SIM card.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He further submits that no any incriminating article has been recovered from the possession of the petitioner. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody



since 25.07.2023.

5. However, learned APP for the State opposes the prayer for regular bail of the petitioner.

6. In view of the aforesaid facts and submissions of learned counsel for the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Kiul, Lakhisarai in connection with Kiul Rail P.S. Case No. 199 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to the law within a period of fifteen days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted*, then the above named petitioner shall be released on bail on above conditions and the petitioner shall be present physically on each and every date before the trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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