

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10391 of 2024

Arising Out of PS. Case No.-231 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Rahul Kumar @ Rahul Singh @ Ramnath Singh @ Nirmal Kumar Sah, aged
about 30 years, Gender-Male, Son of Late Sunil Singh @ Buchchan Sardar,
Resident of Village - Kaithama, P.S. - Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Braj Bhusan Poddar, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh,, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Begusarai Muffasil PS Case No. 231 of 2023 instituted for the
offences punishable under Section 120(B) of the Indian Penal
Code and Sections 25 (1-b)a, 26, 35 of the Arms Act.

3. As per the prosecution case, one country made
loaded pistol, two cartridges and Rs. 20,000/- has been
recovered from the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. It is further submitted that



no looted articles have been recovered from the conscious possession of the petitioner.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and impugned order of the learned Additional District and Sessions Judge-II, Begusarai dated 28.11.2023, it appears that no recovery has been made from the conscious possession of the petitioner and his name surfaced from the confessional statement of other co-accused namely, Kundan Kumar @ Puso and Chandramani Chaudhary @ Fulo Chaudhary. Petitioner is in custody since 07.06.2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st, Class, Begusarai in connection with Muffasil PS Case No. 231 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (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 petitioner shall be released on



bail on above conditions and he 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)

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