

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5368 of 2024

Arising Out of PS. Case No.-263 Year-2023 Thana- RAJPUR District- Buxar

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Ajay Ram @ Upendra Ram, aged about 37 years, Male Son of Bideo Ram @ Rajendra Ram, Resident of Village- Devadhiya, P.S. Rajpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Rajpur PS Case No. 263 of 2023 instituted for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, there has been recovery of one country-made pistol and one live cartridge from the waist of the petitioner.

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. From perusal of the case diary, FIR, seizure list and the bail rejection order of the learned Additional District and Sessions Judge-III, Buxar dated



14.12.2023, it appears that one country made pistol was recovered from the possession of the petitioner. Similarly situated co-accused person namely Om Prakash Ram @ Narayan Ram has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 84962 of 2023 vide order dated 15.01.2024. petitioner is in custody since 01.07.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, 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 Sub-Divisional Judicial Magistrate, Buxar in connection with Rajpur PS Case No. 263 of 2023.

7. However, the trial Court is directed to conclude the proceeding of *framing of charge* according to law within a period of one month from the date of receipt of this order.

(Ramesh Chand Malviya, J)

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