

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5377 of 2024

Arising Out of PS. Case No.-495 Year-2023 Thana- PAKARIBARAW District- Nawada

Manoj Kumar @ Manoj Yadav, aged about 41 years, Gender-Male, Son of Late Chamari Yadav, Resident of Village Kapsandi, P.S.- Pakribarawan, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shweta Anand, Advocate
Mr. Ajit Anand, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

**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 Pakribarawan PS Case No. 495 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, four live cartridges were recovered from the house 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 Sessions Judge, Nawada dated 19.12.2023, it appears that four live cartridges have been recovered from the house of the petitioner. Similarly situated co-accused person namely, Bhushan Kumar has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 5017 of 2024 vide order dated 07.02.2024. Petitioner is in custody since 19.10.2023.

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 Judicial Magistrate-1st Class, Nawada in connection with Pakribarawan PS Case No. 495 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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