

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12331 of 2024

Arising Out of PS. Case No.-4 Year-2023 Thana- CHEWARA District- Sheikhpura

Bipin Yadav @ Bipin Kumar aged about 31 years (Male) Son Of Mahendra Yadav, R/O- Mohalla Girihinda P.S.-Sheikhpura Distt.-Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Chewara P.S. Case No. 4 of 2023 registered for an offence punishable under Sections 25(1-B)a, 26(1) and 27 of the Arms Act.

3. As per allegation in the FIR, three miscreants were wrapped their face with gamcha riding a motorcycle were firing at Dharmkanta located at Natraj Stone Mines Chakandra Barari and four empty cartridges of country made pistol and one live cartridge were recovered from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He submits that petitioner is not named in the FIR and there is no recovery from the conscious possession of the petitioner. Petitioner is in



custody since 20.11.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Under the aforesaid facts and circumstances, let the above named petitioner be released on bail *after framing of the chargesheet* on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sheikhpura in connection with Chewara P.S. Case No. 04 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 above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of the charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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