

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12091 of 2024

Arising Out of PS. Case No.-239 Year-2023 Thana- SAMASTIPUR District- Samastipur

Anshu Kumar @ Aashu Kumar, age 22 years, Male Son of Mudrika Rai,
Resident of Village- Chandpura, P.S.- Veldi, District- Saran (Chhapara).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Samastipur PS Case No. 239 of 2023 instituted for the offences
punishable under Sections 25(1-B)a, 26 and 35 Arms Act.

3. As per the prosecution case, one country made
pistol and one live cartridges have been recovered from the
possession 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. Learned counsel for the
petitioner further submits that nothing incriminating articles
have been recovered from the possession of the petitioner.
Petitioner is in custody since 14.09.2023.

5. Learned APP opposes the prayer for bail.



6. From perusal of the FIR, seizure list and the impugned order of the learned Sessions Judge, Samastipur dated 03.01.2024, it appears that the petitioner was apprehended by the police and police has implicated this petitioner with false story, 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 Chief Judicial Magistrate, Samastipur in connection with Samastipur (Town) PS Case No. 239 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, otherwise the bail bond of the petitioner shall be cancelled by the trial Court.

(Ramesh Chand Malviya, J)

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