

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9426 of 2024

Arising Out of PS. Case No.-836 Year-2023 Thana- MADHEPURA District- Madhepura

Badal Kumar Son of Sushil Kumar Yadav Resident of Village-Pithahi @
Mithahi, Ward No.10, P.S.-Madhepura, District-Madhepura Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Rupesh Kumar, Advocate
For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 20-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Madhepura Police Station Case No. 836 of 2023 registered for the offence under Sections 21(b), 22 of NDPS Act, Section 30(a) of the Bihar Prohibition and Excise Act and Section 25(1-B)A, 26, 35 of the Arms Act.

3. As per allegation in the FIR, it is a case of recovery of one country made pistol, motorcycle bearing registration No. BR-43J-8376 and 7 liters of illicit liquor from Pitahi Railway Dhala.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from the possession of the petitioner. He further submits that petitioner has got no criminal antecedent and the petitioner is in custody since



08.09.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. Considering the aforesaid facts and circumstances of the case, 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 learned District & Sessions Judge – cum – Special Judge, Madhepura in connection with Madhepura P.S. Case No. 836 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the above conditions and he shall be present physically on each and every date before the trial court till conclusion of proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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