

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20455 of 2024

Arising Out of PS. Case No.-340 Year-2023 Thana- GOH District- Aurangabad

Manoj Mistry @ Dukhan Mistry Son of Late Mohan Mistry @ Lalmohan
Mistry R/o vill - Tulsi Bigha, P.S. - Goh, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubham Sourav

For the Opposite Party/s : Mr.Anant Kumar 1

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

ORAL ORDER

3 17-05-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Goh P.S. Case No.340 of 2023 registered for the offence under
Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per FIR, there is recovery of one country
made pistol and a mobile phone has been made from the house
of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that seizure list
appears doubtful being not supported by independent witnesses,
rather by police personnels. It is submitted that similarly



situated co-accused persons have already been granted bail by this Court through Cr. Misc. No.22096 of 2024 on 19.04.2024 and Cr. Misc. No.12934 of 2024 on 29.02.2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 08.11.2023.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioner and as it appears from perusal of FIR, impugned order as well as FIR that only one country made pistol and one mobile recovered from the house of the petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Goh P.S. Case No.340 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad.

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 charge.

(Ramesh Chand Malviya, J)

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