

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10170 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- SARAI RANJAN District- Samastipur

Kundan Kumar, aged about 23 years, Male, S/O Vijay Paswan @ Bijay Paswan, R/O Village- Musapur, P.S- Sarairanjan (Ghatho O.P.), Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 26-02-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Sarairanjan (Ghatho O.P.) P.S. Case No. 215 of 2023 registered for the offence punishable under Sections 399, 402 and 414 of the Indian Penal Code and Sections 25(1-B)A, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, three cartridges as well as cash of Rs.1850/- were recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in this case. He further submits that the petitioner was a tress passer and merely on the basis of suspicion,



petitioner has been implicated in the present case. Petitioner is in custody since 23.07.2023.

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

6. On perusal of the first information report and seizure list, it appears that three live cartridges as also cash of Rs.1850 were recovered from the possession of the petitioner and petitioner is in custody since 23.07.2023, the period of custody of the petitioner, let the above named petitioner be directed to be released on bail *after framing of the charge* in connection with Sarairanjan (Ghatho O.P.) P.S. Case No.215 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 Ms. Swati Singh, ACJM-III, Samastipur/concerned Court.

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)

Brajesh Kumar/-

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