

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13025 of 2024**

Arising Out of PS. Case No.-275 Year-2023 Thana- PAKARIBARAW District- Nawada

PINTU CHAUDHARY SON OF SRI MAHADEO CHAUDHARY R/O-  
IRURI, P.S-PAKARIBARAWAN, DISTT.-NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rajeev Nayan

For the Opposite Party/s : Mr.Harendra Prasad

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

ORAL ORDER

2      29-02-2024                      Heard learned counsel appearing on behalf  
of the parties.

2.            The petitioner seeks bail in connection with  
Pakaribarawan P.S. Case No.275 of 2023 registered for the  
offence under Sections 25(1-b)a and 26 of the Arms Act.

3.            As per FIR, there is recovery of one country  
made pistol along with an empty cartridge from an open place  
behind 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 alleged  
recovery of country made pistol and empty cartridge were not  
made from conscious physical possession of this petitioner,



rather same was recovered on 22.06.2023 from an open place behind the house of the petitioner, which is accessible to general public. It is further submitted that the petitioner has no concern with the alleged recovery of illicit liquor as well as place of recovery. It is further submitted that petitioner is in custody since 05.08.2023.

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, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Pakaribarawan P.S. Case No.275 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 Judicial Magistrate 1<sup>st</sup> Class, Nawada or successor court below.

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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