

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18042 of 2024

Arising Out of PS. Case No.-555 Year-2023 Thana- BARAUNI District- Begusarai

Azad Thakur, aged about 44 years, Male son of Late Nunumani Thakur,
Resident of Village+ P.O.- Bihat P.S.- Barauni District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Barauni (F.C.I. O.P.) PS Case No. 555 of 2023 instituted for the
offences punishable under Sections 25(1-b)a, 26(i) and 35 of the
Arms Act.

3. As per the prosecution case, one country made
pistol has been recovered from the conscious 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. Petitioner has no criminal
antecedent as stated in para 3 of the petition. Nothing has been
recovered from the conscious possession of the petitioner. There



is no any independent witness of the seizure list. Petitioner runs a poultry farm and the police used to make illegal demand due to non fulfillment of the said illegal demand the petitioner has been implicated in this case. Petitioner is in custody 29.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and impugned order of the learned Additional Sessions Judge-III, Begusarai dated 17.01.2024, it appears that petitioner is named in the FIR. There is no any eye witness to the alleged occurrence and the recovery of illegal fire arms and ammunition is from joint possession of this petitioner and other co-accused, 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, Begusarai in connection with Barauni (F.C.I. O.P.) PS Case No. 555 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.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

