

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12494 of 2024

Arising Out of PS. Case No.-826 Year-2023 Thana- SITAMARHI District- Sitamarhi

Pintu Kumar Soni S/O Namonath Sah Village- Jafarpur, Ps.- Belkhand, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Adv.

For the Opposite Party/s : Mr.Rajendra Singh, APP

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

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with Sitamarhi P.S Case No. 826 of 2023 registered for the offences punishable under Sections 399, 402, 414 of I.P.C and under Section 25(1-b)a, 26, 35 of Arms Act and under Section 8, 20(b)(ii)(C), 22 of NDPS Act,

3. As per prosecution case, Some miscreants assembled near Islampur road bridge for making planning to commit crime and after seeing the police force some of them fled away but some of them apprehended. On searching two live cartridges



recovered from the possession of the petitioner and a loaded countrymade Sixer with live cartridges, mobile with SIM, 500 gram Charas like substance recovered from other co-accused.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that nothing narcotics substance recovered from the possession of the petitioner which does not attracts NDPS Act on the petitioner. Petitioner has got no criminal antecedent as stated in para 3 of the petition. It is also submitted that petitioner is in judicial custody since 03.11.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten



thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Sitamarhi in connection with Sitamarhi P.S Case No. 826 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 the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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