

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12240 of 2024

Arising Out of PS. Case No.-925 Year-2023 Thana- SITAMARHI District- Sitamarhi

Pramod Kumar Son of Bhikhari Sah Resident of Village- Shiv Nagar, Ward
No.-01, P.s.- Bela, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Manoj Kumar

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with Sitamarhi (Mehsaul O.P) P.S Case No. 925 of 2023 registered for the offences punishable under Sections 399/402/413/414/34 of the I.P.C and Sections 25(I-B)a/26/35 of Arms Act.

3. As per prosecution case, one country made loaded katta, one live cartridges and one sharp knife recovered from the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It



is further submitted that on perusal of the seizure list there is no independent witness of seizure list. It is also submitted that petitioner is in judicial custody since 09.12.2023.

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 Chief Judicial Magistrate, Sitamarhi/ concerned court in connection with Sitamarhi (Mehsaul O.P) P.S Case No. 925 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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