

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15470 of 2024

Arising Out of PS. Case No.-290 Year-2023 Thana- GOGRI District- Khagaria

Narad Yadav, Male, aged about 42 years, Son of Shankar Yadav, Resident of Village-Shiswa, P.S.-Goari, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Gogari PS Case No. 290 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 and five live cartridges have been recovered from the accused persons including 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 due to dirty village politics. He further submits that there is no any independent witness of the seizure list.

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-VI, Khagaria dated 22.12.2023, it appears that petitioner is named in the FIR and also states that the petitioner has taken lift from a co-accused Vishal Kumar, who was on driving seat and petitioner wants to take assistance from a lady doctor because his wife was in final stage of her pregnancy so that in hurry, he has taken the lift from co-accused Vishal Kumar and now the petitioner dragged in the present case as stated in para 8 of the petition. Petitioner is in custody since 17.08.2023, 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, Khagaria in connection with Gogari PS Case No. 290 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.

8. Further, if the petitioner shall not appear before the learned trial Court for two consecutive dates without any valid reason, the bail bonds of the petitioner shall be cancelled by the trial Court.

(Ramesh Chand Malviya, J)

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