

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14352 of 2024**

Arising Out of PS. Case No.-304 Year-2023 Thana- BALIYA District- Begusarai

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Sohan Yadav, aged about 28 years, Gender-Male, Son of Late Rajendra Yadav, resident of Village- Majhanpur, Ward No. 1, P.S.- Balia, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

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

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

**ORAL ORDER**

2      06-03-2024      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Balia (Begusarai) P.S. Case No. 304 of 2023 registered for an offence punishable under Sections 25(1B)a read with Sections 26 and 35 of the Arms Act and Section 120(B) of the IPC.

3. As per prosecution case, it is a case of recovery of some arms.

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

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the first information report and seizure list, it appears that one country made pistol with one live cartridge were recovered from the possession of the petitioner. No independent witness of seizure list, petitioner is in custody



since 01.11.2023 and petitioner has got clean antecedent as stated in para-3 of the petition, so I am inclined to grant bail to the petitioner.

7. Under the aforesaid facts and circumstances, let the above named petitioner be released on bail *after framing of the chargesheet* on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Begusarai in connection with Balia P.S. Case No. 304 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 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)**

Brajesh Kumar/-

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