

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15117 of 2024**

Arising Out of PS. Case No.-242 Year-2023 Thana- PATEPUR District- Vaishali

Sudhanshu Kumar @ Nihal @ Khakha Don, aged about 22 years, Male, Son of Niraj Kumar Singh, Resident of Village- Ratanpur Kewal, P.S.- Sakra (Bariyarpur O.P.), Distrit- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate  
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

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

ORAL ORDER

5      21-06-2024                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Patepur P.S. Case No. 242 of 2023 instituted for the offences punishable under Section 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, one country made pistol with live cartridges and stolen motorcycle were recovered from the 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 only on the basis of suspicion. He next submits that the petitioner has no concern



with the recovered fire arms. Petitioner is in custody since 12.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-III, Vaishali at Hajipur dated 16.01.2024, it appears that the petitioner is named in the FIR and has no knowledge about the motorcycle and went with Abhishek Kumar. Similarly situated co-accused persons namely Abhinash Kumar @ Sachin @ Golu has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 25518 of 2024 vide order dated 04.04.2024, 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 Judicial Magistrate-1st Class-cum-Additional Munsif, Vaishali at Hajipur in connection with Patepur P.S. Case No. 242 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)**

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