

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16516 of 2024

Arising Out of PS. Case No.-720 Year-2023 Thana- BIHAR District- Nalanda

Vikash Kumar @ Ramu, Gender-Male, aged about 25 years, S/O Ashok Kumar @ Gore Lal Yadav Resident Of Village- Korai, P.S. Deep Nagar, District- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 22-03-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail registered for the offence under Section 399, 402 and 414 of the Indian Penal Code and Sections 25(1-B)A/26/35 of the Arms Act.

3. As per the prosecution case, it is a case of recovery of some arms as well as one motorcycle from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that petitioner has falsely been implicated in this case. He next submits that the petitioner was not present at the place of occurrence and he was not kept or conceal of any stolen property.



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

6. On perusal of the first information report, seizure list and impugned order dated 08.01.2024, it appears that one loaded country made pistol along with two live cartridges and also one motorcycle were recovered from the possession of the petitioner. No independent witness of seizure list and petitioner is in custody since 13.08.2023, considering which, I am inclined to grant bail to the petitioner. Accordingly, let the petitioner, above named, be directed to be released on bail *after framing of the charge* in connection with Bihar P.S. Case No.720 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nalanda at Biharsharif.

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 and on further condition that the petitioner shall be present before the trial court till conclusion of the trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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