

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15362 of 2024

Arising Out of PS. Case No.-658 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Satyam Kumar, Male, aged about 20 years, Son of Agarjit Sah, Resident of
Village- Kanchanpur Kachra Ward No. 11 P.S. Saur Bazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

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

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

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Saharsa Sadar PS Case No. 658 of 2023 instituted for the
offences punishable under Sections 25(1-B)a, 26 and 35 of the
Arms Act.

3. As per the prosecution case, one live cartridge and a
mobile has been 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 due to dirty village politics.
It has further been submitted that the petitioner has never



committed this type of occurrence and no any recovery has been made but they are implicated in this case by the police at the behest of rivalry. Petitioner has got clean antecedent as stated in para 3 of the petition and is in custody since 20.09.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and the impugned order of the learned Sessions Judge, Saharsa dated 21.12.2023, it appears that there is no any independent witness of the seizure list and the period of custody, 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, Saharsa in connection with Saharsa Sadar PS Case No. 658 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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