

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14344 of 2024

Arising Out of PS. Case No.-670 Year-2023 Thana- KANTI District- Muzaffarpur

Rohit Kumar, aged about 21 years, Sex-Male, Son Of Rajesh Kumar @ Rajesh Ram, Resident Of Mohalla- Gandhi Maidan, Exhibition Road, Doctor Dukhan Ram Plaza Murgi Bagicha, PS- Gandhi Maidan, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Advocate
For the Opposite Party/s	:	Mr. Mohammed Arif, APP

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 Kanti P.S. Case No. 670 of 2023 registered for an offence 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 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 and one live cartridges were recovered and one motorcycle was also recovered from the name of Nikki Devi, who is wife of co-accused Suraj Kumar and as such the motorcycle is not theft property as stated in para-7 of the petition, petitioner is in custody since 29.08.2023 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 ACJM-3rd West, Muzaffarpur in connection with Kanti P.S. Case No. 670 of 2023.

8. 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



the charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

U		T	
---	--	---	--

