

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14958 of 2024

Arising Out of PS. Case No.-323 Year-2023 Thana- SAUR BAZAR District- Saharsa

Nitish Sharma @ Nitish Kumar @ Manish Kumar @ Manish Sharma Son Of
Ramesh Sharma Resident Of Village - Thadhi, Pastpar Ward No. 08, P.S. -
Sourbazar, District - Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for an
offence punishable under Sections 25(1-A), 25(1-AA), 25(1-
B)a, 26, 35 and 25(1-a) of the Arms Act.

3. As per allegation in the FIR, it is a case of recovery
of some fire arms from the house of co-accused Pintu Mandal.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case due to dirty village politics and nothing has been recovered
from the conscious possession of the petitioner and petitioner
was not arrested at the spot, he has got clean antecedent as
stated in para-3 of the petition and he is in custody since



28.08.2023.

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

6. Considering the aforesaid facts and circumstances of the case, 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 Sri S.P. Singh, Judicial Magistrate, Ist Class, Saharsa/concerned Court in connection with Sourbazar P.S Case No. 323 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)

Brajesh Kumar/-

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