

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16350 of 2024

Arising Out of PS. Case No.-1940 Year-2023 Thana- NAWADA District- Nawada

Md. Mistar @ Alamgir Ansari @ Alamgir @ Amamgir Ansari, aged about 35 years (Male) S/o Md. Khurshid Alam R/o vill - Takiyapar, P.S. - Bundelkhand, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.A Shamsi, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Nawada P.S. Case No. 1940 of 2023 registered for an offence punishable under Sections 25(1-b)a and 26 of the Arms Act.

3. As per prosecution case, it is a case of recovery of one country made pistol and two live cartridges from the possession of the petitioner.

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, seizure list and impugned order dated 23.01.2024, it appears that one country made pistol, one live cartridges as also one motorcycle



bearing registration no.BR-01C-9208 were recovered from the possession of the petitioner as stated by learned counsel for the petitioner but from perusal of the seizure list, it appears that no witness of seizure list and petitioner is in custody since 21.12.2023, in these circumstances, I am inclined to grant bail to the petitioner. Accordingly, let the above named petitioner be released on bail **after framing of the charge** on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nawada in connection with Nawada P.S. Case No. 1940 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/-

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