

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18113 of 2024

Arising Out of PS. Case No.-1071 Year-2023 Thana- MADHEPURA District- Madhepura

Saurav Kumar Son Of Khatar Mandal R/O-Bhawantikthi, P.S.-Madhepura,
Distt.-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

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

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

ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per allegation in the FIR, it is a case of recovery
of some firearms from the accused persons.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner has got clean antecedent and he is in
custody since 18.10.2023. He next submits that one country
made pistol with loaded magazine without cartridge was
recovered from the possession of the petitioner and there is no



independent witness of seizure list.

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

6. Accordingly, let the above named petitioner be released on bail **after framing of 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, Madhepura in connection with Madhepura P.S. Case No. 1071 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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