

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25470 of 2024

Arising Out of PS. Case No.-826 Year-2023 Thana- SITAMARHI District- Sitamarhi

Suresh Sah (Male), aged about 47 years, S/O Kishun Dev Sah R/O Vill -
Ghorasahan, P.S. - Ghorasahan, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Bharat Lal, APP

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

ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence under Sections 399, 402 and 414 of the Indian Penal
Code , Sections 25(1-b) A, 26 and 35 of the Arms Act and Sec-
tions 8/20 (b)(ii)(C)/22 of the NDPS Act.

3. As per the prosecution case, it is a case of recov-
ery of loaded country made pistol, live cartridges, 500 grams
charas like substance, mobile with SIM from the possession of
the petitioner

4. Learned counsel for the petitioner has submitted
that petitioner has falsely been implicated in this case due to
non-fulfilment of illegal demand of the informant. He next sub-



mits that there is no recovery of arms and chars from the conscious possession of the petitioner. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 03.11.2023. He next submits that similarly situated co-accused persons have also been granted bail by this Court passed in Cr. Misc. Nos. 11483 of 2024 and 12494 of 2024.

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

6. Considering the facts and circumstances of the case, let the petitioner, above named, be directed to be released on bail ***after framing of the charge*** in connection with Sitamarhi P.S. Case No.826 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Sitamarhi.

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 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 charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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