

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19885 of 2024

Arising Out of PS. Case No.-355 Year-2023 Thana- BALIYA District- Begusarai

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1. Raman Kumar, aged about 21 years, Male, S/o Raj Kumar Ram @ Raj Kumar Singh, R/o vill - Ullaw, ward no. 02, P.S. - Muffasil (Singhoul O.P.), Distt. - Begusarai
 2. Binod Sah, aged about 28 years, Male, S/o Rajendra Sah, R/o vill - Chhoti Balia, ward no. 09, P.S. - Balia, Distt. - Begusarai (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandan Kashyap, Advocate
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 28-03-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioners seek bail in a case registered for the offence under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, the informant received a secret informant that some criminals armed with illegal arms and cartridges for making planning to commit crime in the house.

4. Learned counsel for the petitioner has submitted that petitioners have falsely been implicated in this case. He next submits that there is no recovery of any illegal arms and



cartridges from the possession of the petitioners. Petitioners are in custody since 29.12.2023.

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

6. On perusal of the first information report, seizure list and impugned order dated 08.02.2024, it appears that only cash of Rs.1700/- was recovered from the possession of petitioner no.2 but there is no recovery from the possession of petitioner no.1 and no independent witness of seizure list, considering which, let the petitioners, above named, be directed to be released on bail ***after framing of the charge*** in connection with Balia P.S. Case No.355 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Begusarai.

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 petitioners shall be released on bail on furnishing bail bond with further condition that the petitioners 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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