

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21731 of 2024

Arising Out of PS. Case No.-510 Year-2023 Thana- JAMUI District- Jamui

Md. Aiman, aged about 35 years, Gender-Male, Son of Late Md. Ekbal @
Md. Eqbal, Resident of Village- Arsar, P.S.- Jamui, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

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

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

ORAL ORDER

3 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jamui
P.S. Case No. 510 of 2023 instituted for the offences punishable
under Sections 414 and 120(B) of the Indian Penal Code and
Sections 25(1) (A), 25(1-AA), 25(1-AC) 25(1-B)c, 26(i) (ii) and
35 of the Arms Act.

3. As per the prosecution case, from large room
number of arms making tool recovered from there. Allegedly it
is mini gun factory.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. There is general and
omnibus allegation levelled against the petitioner. It has further



submitted that nothing has been recovered from the conscious possession of the petitioner rather the alleged recovery has been made from a place which is not under control and management of the petitioner. The land in question from where the alleged incriminating material has been recovered is a mobile tower and which is under the control and management of the company. Petitioner is in custody since 14.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-IV, Jamui dated 09.02.2024, it appears that petitioner is named in the FIR. From perusal of the records, it appears that the allegation against the petitioner is involved in manufacturing of arms and ammunitions. There is no any independent witness of the seizure list and he is custody for almost about six months, considering all these aspects and submission of learned counsel for the parties, the prayer for bail of the petitioner is allowed. 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 the learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 510 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 further the petitioner shall be present before the trial Court till conclusion of proceeding of trial.

(Ramesh Chand Malviya, J)

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