

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26448 of 2024

Arising Out of PS. Case No.-407 Year-2023 Thana- LALGANJ District- Vaishali

Ajeet Kumar, Son of Late Harendra Rai @ China, aged about 30 years, Male
Resident of Village- Balua Basanta, P.S. Lalganj District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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

ORAL ORDER

2 16-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Lalganj
P.S. Case No. 407 of 2023 instituted for the offences punishable
under Sections 25(1-b) a and 26 of the Arms Act.

3. As per the prosecution case, one loaded country
made pistol with one live cartridge has been recovered from the
possession of the petitioner.

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. It is submitted that
petitioner has been arrested by the police on the basis of
suspicion. There is neither any iota of evidence nor any material
on records to show the complicity of the petitioner in this case.
Chargesheet has already been submitted in this case. Petitioner



is in custody since 21.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Sessions Judge, Vaishali at Hajipur dated 07.02.2024, it appears that petitioner is named in the FIR. From perusal of the records, it also appears that one loaded country made pistol with one live cartridge has been recovered from the possession of the petitioner. He has been arrested only on the basis of suspicion and confessional statement as well as no any independent witness of the seizure list, accordingly 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, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 407 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)

Anand Kr.

U		T	
---	--	---	--

