

Arising Out of PS. Case No.-56 Year-2024 Thana- SURSAND District- Sitamarhi

... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Sursand P.S. Case No.56 of 2024 registered for the offence under Sections 20(b)(ii)(B), 29 of the NDPS Act and Sections 25(1-B) (a), 26, 35 of the Arms Act.

3. Allegation against the petitioner is to have in possession of one live cartridge.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been



implicated in the present case. It is submitted that only one live cartridge has been recovered from the conscious physical possession of this petitioner. It is further submitted that petitioner is in custody since 24.01.2023.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioner and period of custody of the petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Sursand P.S. Case No.56 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge-cum-Special Judge, NDPS Act, 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)

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