

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26483 of 2024

Arising Out of PS. Case No.-49 Year-2023 Thana- EAST COLONY District- Munger

Md. Arman Khan, aged about 27 years, Male, Son of Late Md. Nashim,
Resident of Ghasiyar Mohalla, P.S. - Kotwali, District – Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, 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 East Colony P.S. Case No. 49 of 2023 instituted for the offences punishable under Section 401 of the Indian Penal Code and Sections 25(1-b)a, 26 (i) (ii) and 35 of the Arms Act.

3. As per the prosecution case, one country made pistol and two live cartridges have 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. Nothing incriminating



articles have been recovered from the conscious possession of the petitioner. Chargesheet has already been submitted in this case. Petitioner is in custody since 23.08.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-IVth, Munger dated 17.02.2024, it appears that petitioner is named in the FIR. On the basis of self statement, this case has been registered under various sections of arms act. There is no any independent witness of the seizure list and considering the period of custody, 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 Judicial Magistrate-1st Class, Munger in connection with East Colony P.S. Case No. 49 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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