

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28018 of 2024

Arising Out of PS. Case No.-99 Year-2023 Thana- BHAGWANPUR District- Begusarai

Vikram Kumar @ Vikram, aged about 21 years, Gender-Male, Son of Manoj Paswna, Resident of Village- Jagdishpur, P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bhagwanpur P.S. Case No. 99 of 2023 instituted for the offences punishable under Section 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, country made pistol and 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. There is no recovery of any looted article from the conscious possession of the petitioner nor from his house. Petitioner is in custody since 16.04.2023.



5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-V, Begusarai dated 25.08.2023, it appears that petitioner is named in the FIR and there is 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 Judicial Magistrate-1st Class, Begusarai in connection with Bhagwanpur P.S. Case No. 99 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 he shall be 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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