

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26538 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- KEWATI District- Darbhanga

Abhishek Kumar @ Abhishek Kumar Yadav, aged about 22 years, Male, Son of Ganeshi Yadav, Resident of Village - Kakarghatti, P.S. - Sadar, District – Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Saurav Anand, Advocate
For the Opposite Party/s :	Mr. Atul Chandra, 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 Keoti P.S. Case No. 12 of 2024 instituted for the offences punishable under Sections 399, 402, 414/34 of the Indian Penal Code and Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, one country made pistol with four loaded cartridges were recovered from the possession of the accused persons.

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 only on the basis of suspicion. He further submits that nothing incriminating has been recovered from the possession of the petitioner. Petitioner



is neither the owner nor the driver of the seized car. Petitioner has been arrested from the car. Petitioner is in custody since 18.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and the impugned order of the learned Sessions Judge, Darbhanga, Bihar dated 01.03.2024, it appears that the name of the petitioner surfaced in this case only on the basis of suspicion and no recovery from the conscious possession of the petitioner and seized car does not belong to the petitioner, 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, Darbhanga in connection with Keoti P.S. Case No. 12 of 2024.

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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