

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27604 of 2024

Arising Out of PS. Case No.-350 Year-2023 Thana- SONBERSA District- Sitamarhi

Sunil Kumar Son Of Maru Mahato Resident Of Village - Jainagar, P.S. -
Sonbarasa, District - Sitamarhi Petitioner/s

Versus

The State Of Bihar Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with Sonbarasa P.S Case No. 350 of 2023 registered for the offences punishable under Sections 414 of IPC and Sections 25(1-B)a / 26 / 35 of the Arms Act.

3. As per allegation in the FIR, one country made pistol in loaded condition and one motorcycle was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to dirty village politics. He further submits that said motorcycle belongs to other brother of co-accused, namely, Rohit Kumar and there is no independent witness of seizure list. It is further submitted that petitioner is in judicial custody since 24.11.2023.

5. However, learned APP for the State oppose the prayer



for regular bail of the petitioner.

6. On perusal of the FIR, seizure list and impugned order dated 29.02.2024, it appears that one country made pistol in loaded condition was recovered from the possession of the petitioner and one motorcycle also recovered from his possession.

7. Considering the period of custody and the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner 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 learned CJM, Sitamarhi in connection with Sonbarsa P.S. Case No. 350 of 2023.

8. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the above conditions and he shall be present physically on each and every date before the trial court till conclusion of proceeding of framing of charge.

(Ramesh Chand Malviya, J)

saaurabhkr/-

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

