

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27509 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- NAUHATTA District- Saharsa

Prakash Kumar Das S/o Vasudev Das @ Vasdev Das R/o Village- Shahpur,
(Sahpur) Ward No. 05, P.S. Nauhatta, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 20-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Nauhatta P.S Case No. 07 of 2024 registered for the offences
punishable under Sections 25(1-B) (a), 26 of Arms Act.

3. As per prosecution case, one loaded country made
pistol recovered from the possession.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is further
submitted that petitioner has got no criminal antecedent as
stated in para 3 of the bail petition. It is also submitted that
petitioner is in judicial custody since 23.01.2024.

5. However, learned APP for the State oppose the



prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering 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 the charge*** on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.MF.C, Saharsa in connection with Nauhatta P.S Case No. 07 of 2024.

7. 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 the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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