

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29041 of 2024

Arising Out of PS. Case No.-310 Year-2023 Thana- MAJORGANJ District- Sitamarhi

Kanhai Kumar SON OF TRILOKI YADAV @ TRILOK RAY Resident of
Village -Majorganj, P.S.- Majorganj, District -Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar

For the Opposite Party/s : Mr. Dinesh Singh

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

ORAL ORDER

2 19-04-2024 Heard learned counsel appearing on
behalf of the parties.

2. The petitioner seeks bail in connection with Mejorganj P.S. Case No.310 of 2023 registered for the offence under Sections 399 and 402 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

3. As per FIR, it is a case of recovery of arms and ammunition from the accused persons. On searching one live cartridge and one small knife were recovered from the Md. Noman Niyaji and the Petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been



implicated in the present case. It is submitted that nothing has been recovered from conscious physical possession of this petitioner and he has no concerned with the alleged occurrence. It is also submitted that other similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.10901 of 2024 on 22.02.2024 and Cr. Misc. No. 12608 of 2024 on 28.02.2024. It is further submitted that petitioner is in custody since 20.10.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Mejorganj P.S. Case No.310 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 8th Additional Distriction and Sessions Judge, Sitamarhi.

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 above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to 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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