

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30352 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- PANDARAK District- Patna

Sanjit Mahto, aged about 19 years, Male, son of Suro Mahto @ Suraj Mahto,
Resident of Village- Bihari Bigha Dhelwa Gosai P.S.- Barh District- Patna
P/A- Bhagwatipur Karmaur Dhelwa Gosai P.S.- Pandarak District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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

ORAL ORDER

2 24-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Pandarak P.S. Case No. 29 of 2024 instituted for the offences
punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, one country made
pistol 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. Petitioner has got no
criminal antecedent as stated in para 3 of the petition is in
custody since 08.02.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of



the learned Additional District and Sessions Judge-1st Barh, Patna dated 22.03.2024, it appears that only empty pistol without any cartridge has been recovered from the possession of the petitioner 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 A.C.J.M.-1st, Barh, Patna in connection with Pandarak P.S. Case No. 29 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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