

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30519 of 2024

Arising Out of PS. Case No.-1057 Year-2023 Thana- SONEPUR District- Saran

Nahid Mian @ Nahid Ali, Male, aged about 25 years, son of Ali Ahmad R/o village- Shuker Bazar, Miya Toli, Sonpur Adam, P.S.- Sonapur, Dist.- Saran, Pin Code- 841101, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Anand, Advocate
For the Opposite Party/s : Md. Ataur Rahman, APP

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 Sonpur P.S. Case No.1057 of 2023 registered for the offence under Section 30(a) of the Bihar Prohibition and Excise Act and Section 25(1-b)a, 26 and 35 of the Arms Act and Sections 20(ii) (B)/22 of the NDPS Act.

3. As per FIR, there is recovery of one country made pistol along with two live cartridge and 1 kg. of contraband like *Ganja*, 2 litres of illicit liquor, etc. from the house of the other co-accused person, namely, Rakesh Kumar.



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 alleged recoveries were not made from conscious physical possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recoveries. It is submitted that similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.7034 of 2024 on 13.02.2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 01.03.2024.

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 Sonpur P.S. Case No.1057 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 Special Exclusive Excise Judge-II, Saran at Chapra/concerned court.

7. However, 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.

(Ramesh Chand Malviya, J)

S.Katyayan/-

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

