

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32072 of 2024

Arising Out of PS. Case No.-201 Year-2023 Thana- SONBERSHA RAJ District- Saharsa

Paplesh Kumar, Aged about 26 years, Gender-Male, Son Of Mishar Yadav,
Resident of Village- Fatehpur, Ward No. 4, P.S.- Sonbarsa, Raj (Kashnagar
Op) District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

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

ORAL ORDER

2 25-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sonbarsa Raj P.S. Case No. 201 of 2023 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, one live cartridge and one motorcycle bearing
registration no. BR19V7788 were recovered from the
possession of petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. He has no concern with the



arms which were seized by the police. The seized motorcycle belongs to the petitioner. Similarly situated co-accused persons have already been granted bail by this Court vide order dated 12.03.2024 and 19.03.2024 passed in Cr. Misc. No. 15600 of 2024 and Cr. Misc. No. 2011 of 2024. Moreover, petitioner is languishing in judicial custody since 09.09.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody 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 the learned J.M. Ist Class, Saharsa in connection with Sonbarsa Raj P.S. Case No. 201 of 2023.

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. Further, if the petitioner shall not appear before the trial court for two consecutive dates without valid reason, the bail bonds of the petitioner shall be cancelled by the trial court itself.

(Ramesh Chand Malviya, J)

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