

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35625 of 2024

Arising Out of PS. Case No.-948 Year-2023 Thana- NATHNAGAR District- Bhagalpur

Bambam Kumar S/O Madhusudan Yadav R/O - Roghopur (Tikker), P.S.-
Madhusudanpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

2. The petitioner seeks bail in a case registered
for the offence under Sections 25(1-B)/a/26/35 of the Arms Act.

3. As per the prosecution case, it is a case of
recovery of one loaded country made pistol from the possession
of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has falsely been implicated in
this case. He next submits that there is no recovery from the
conscious possession of the petitioner and no independent
witness of seizure list and petitioner has got clean antecedent
and he is in custody since 16.11.2023.



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

6. Considering the facts and circumstances and period of custody of the petitioner, let the petitioner, above named, is directed to be released on bail **after framing of the charge** in connection with Nathnagar P.S. Case No. 948 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 CJM, Bhagalpur.

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 has to present physically on each and every date before the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

Brajesh
Kumar/Vinayak

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