

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39750 of 2024

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

Md. Masum SON OF MD. JUBER VILLAGE- KASHNAGAR, WARD NO. 3, PS- SONBERSA RAJ (KASHNAGAR OP) DIST- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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

ORAL ORDER

2 12-07-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Sonbersa P.S. Case No.201 of 2023 registered for the offence under Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. Allegation against the petitioner is to have in possession of one country made pistol along with a live cartridge.

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 it appears



from perusal of FIR that there is recovery of only one country made pistol along with a live cartridge from the possession of this petitioner. It is submitted that similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.2011 of 2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 09.09.2023.

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 Sonbersa P.S. Case No.201 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 Judicial Magistrate, 1st Class, Saharsa.

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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