

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79501 of 2023

Arising Out of PS. Case No.-338 Year-2023 Thana- MIRGANJ District- Gopalganj

VIKASH KUMAR S/o Sri Baban Chaudhary R/o Vill - Sujaw Tola Musehari,
P.S. - Nawtan, Dist - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udit Narayan Singh

For the Opposite Party/s : Mr. Dilip Kumar No. 1

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

ORAL ORDER

3 12-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Mirganj P.S. Case No.338 of 2023 registered for the offence
under Sections 414 of the Indian Penal Code and Sections 25(1-
b)a and 26 of the Arms Act.

3. As per prosecution story, a country made
pistol along with five live cartridges have been recovered from
the possession of the petitioner.

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 nothing has
been recovered from the conscious possession of the petitioner



rather a pistol along with cartridges were recovered from dickey of the motorcycle. It is further submitted that motorcycle from where alleged was made belong to Jagu Chaudhary, father of Anil Chaudhary. It is further submitted that the petitioner is in custody since 06.09.2023.

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

6. Considering the facts and circumstances and as alleged recovery has not been made from conscious possession of this petitioner, let the petitioner, above named, is directed to be released on bail *after framing of the charge* in connection with Mirganj P.S. Case No.338 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj.

7. However, the court below is directed to conclude the proceeding of framing of the charge according to law within a period of one month from the date of receipt of a copy of this order.

(Ramesh Chand Malviya, J)

S.Katyayan/-

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

