

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83281 of 2023

Arising Out of PS. Case No.-500 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. SHARMILA DEVI WIFE OF ASHOK CHOUDHARY RESIDENT OF VILLAGE- MATIYA BURZ, MITHA TALAB (BARA BAGAN), P.S. MATIYA BURZ (W.B.), AT PRESENT VILLAGE- MIHIZAM, PURVIPARA, P.S.- MIHIZAM, CHITRANJAN, DISTRICT- WEST BARDHMAN (W.B)
 2. ARTI KUMARI @ AARTI KUMARI D/O ASHOK CHOUDHARY RESIDENT OF VILLAGE- MATIYA BURZ, MITHA TALAB (BARA BAGAN), P.S.- MATIYA BURZ (W.B.), AT PRESENT VILLAGE- MIHIZAM, PURVIPARA, P.S.- MIHIZAM, CHITRANJAN, DISTRICT- WEST BARDHMAN (W.B.)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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

ORAL ORDER

4 04-03-2024

Heard learned counsel appearing on behalf
of the parties.

2. The petitioners seek bail in connection with Begusarai Mufassil P.S. Case No.500 of 2023 registered for the offence under Sections 25(1-b)a, (1a), (1b), 26 and 35 of the Arms Act.

3. Allegation against this petitioners is to have engaged in preparation of illegal firearms and during search semi prepared barrels, drilling pin, hammer, iron rod and other



articles were recovered.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have falsely been implicated in the present case. It is submitted that alleged recovery has not been made from conscious physical possession of these petitioners and they have no concern with the alleged recovery and place of recovery. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that similarly situated co-accused person has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.78835 of 2023 on 31.01.2024. It is further submitted that petitioners are a man of clean antecedent and they are in custody since 26.08.2023.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioners, let both the petitioners, above named, are directed to be released on bail, ***after framing of the charge***, in connection with Begusarai Mufassil P.S. Case No.500 of 2023 on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai.

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 petitioners shall be released on bail on furnishing bail bond with further condition that the petitioners 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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