

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85941 of 2023

Arising Out of PS. Case No.-419 Year-2023 Thana- SHIVSAGAR District- Rohtas

Yash Kumar @ Bittu Kumar, aged about 22 Years, Male, s/o Santosh Kumar, vill- Lashkariganj, Sasaram, Ward no 18 P.S Sasaram Nagar Dist- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rambabu Yadav, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 13-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Seosagar P.S. Case No. 419 of 2023 registered for an offence punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per prosecution case, it is a case of recovery of some arms.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and he is in custody since 21.09.2023.

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

6. From perusal of the first information report and seizure list, it appears that one country made pistol with one empty cartridge were recovered from the possession of the



petitioner. No independent witness of seizure list, petitioner is in custody since 21.09.2023 and petitioner has got clean antecedent as stated in para-3 of the petition, so I am inclined to grant bail to the petitioner.

7. Under the aforesaid facts and circumstances, let the above named petitioner be released on bail ***after framing of the chargesheet*** on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Rohtas at Sasaram in connection with Seosagar P.S. Case No. 419 of 2023.

8. 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)

Brajesh Kumar/-

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