

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4511 of 2024

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

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1. Ajay Kumar Chaudhary S/o Late Rajkumar Chaudhary Resident of villlage-
Satur Khana, P.S. Mufassil (Munger), Dist.- Munger
 2. Ashok Choudhary, Resident of Village - Mathiya Burz, Mitha Talab (Bara
Bagan), P.S.- Matiya Burz (W.B.), At present resident of village - Mihizam,
Purvipara, P.S. _ Mihizam, Chitranjan, District - West Vardhaman (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manendra Sinha, Advocate Mr. Navneet Kumar, Advocate Mr. Niramal Kumar, Advocate
For the Opposite Party/s :		Mr.Mohammed Arif, APP

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

ORAL ORDER

3 10-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

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

3. Allegation against the 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 for the petitioners submits that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have no concern with alleged recovery and place of recovery. No arms have been recovered from their conscious possession. Police has prepared a joint seizure list which is not permissible in the eye of law. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. Similarly situated co-accused person namely, Raj Kumar @ Birju Choudhary has already been granted bail by this Court vide order dated 22.03.2024 passed in Cr. Misc. No. 19595 of 2024. Petitioners have got no criminal antecedent and they are languishing in judicial custody since 26.08.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioners as well as period of custody of the petitioners, let the above named petitioners be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with



Begusarai Mufassil P.S. Case No. 500 of 2023.

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 petitioners shall be released on bail on above conditions and they shall be 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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