

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2011 of 2024

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

Mithilesh Kumar @ Mithilesh Mehta Son of Yogendra Mehta Resident of Village Kashnagar Tola Samhar Basa,, Ward No. 07, Police Station Sonbarsa Raj, (Kashnagar O.P.), District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in connection with Sonbarsa Raj (Kashnagar O.P.) P.S. Case No. 201 of 2023 registered for the offence under Sections 25(1-b)a, 26, 35 of the Arms Act.

3. It is a case of recovery of some arms and ammunition and also a motorcycle from the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. He is custody since 09.09.2023.

5. However, learned APP for the State vehemently



opposed the prayer for regular bail.

6. Considering the aforesaid facts and circumstances of the case and also taking into account the period of custody, let the petitioner, above named, be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saharsa in connection with Sonbarsa Raj (Kashnagar O.P.) P.S. Case No. 201 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 petitioner shall be released on bail on above conditions and he 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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