

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7136 of 2024

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

Shambhu Kumar, aged about 25 years, Gender-Male, Son Of Asharfi Paswan
R/O Village- Kirtol, Ward No. 10, Police Station - Teghra, Dist.- Begusarai
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for an offence punishable under Sections 25(1-b)a, 26(i) and 35 of the Arms Act.

3. As per allegation in the FIR, the petitioner along with co-accused is said to have been apprehended with a motorcycle and from the possession of this petitioner, one country made loaded pistol and a mobile phone were recovered.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He next submits that he has no knowledge about the said recovery nor the alleged recovery of motorcycle belongs to him. He next submits that similarly situated co-accused has already been granted regular bail by a Co-ordinate Bench of this Court passed



in Cr. Misc. No. 86443 of 2023 vide order dated 09.02.2024. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 25.09.2023..

5. However, learned APP for the State opposes the prayer for regular bail of the petitioner.

6. In view of the aforesaid facts and submissions of learned counsel for the petitioner, let the above named petitioner be released on bail ***after framing of the charge*** on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Begusarai in connection with Barauni P.S. Case No. 500 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to the law within a period of 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 above conditions and the petitioner 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)

Brajesh Kumar/-

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