

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13245 of 2017

Arising Out of PS.Case No. -200 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

=====

PARWEJ MIAN @ PRAVEJ MIYA, Son of Ushman Mian, resident of
Village- Barkurwa, P.S.- Motihari Muffasil, District- East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-03-2017 Heard Sri Vijay Shankar Shrivastava, learned
counsel for the petitioner and learned Addl. Public Prosecutor.

This is the second attempt for grant of bail on
behalf of the petitioner in Mufasil P.S. Case No.200/15 registered
for the offence under Sections 341, 323, 384, 379, 504/34 of the
Indian Penal Code and Section 27 of the Arms Act.

It was submitted by learned counsel for the
petitioner that the petitioner is in custody since 18.02.2016. He
submits that now charge has already been framed on 18.11.2016
of those offences, for which F.I.R. was lodged. He submits that
though charge was framed on 18.11.2016, before the learned
Magistrate till the date of filing of the present petition, the
prosecution had not produced any witness. He submits that in view



of provision contained in Section 437(6) of the Code of Criminal Procedure, the petitioner is entitled to be released on bail.

Considering the fact that the petitioner is in custody since 18.02.2016 and also the fact that even after framing of charge on 18.11.2016 till the date of filing of the present petition i.e.17.03.2007, no witness was produced from the prosecution side, the Court proposes to direct for release of the petitioner on bail. Accordingly, let the petitioner, namely, Parwej Mian @ Pravej Miya be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 11th, Motihari, East Champaran in connection with Trial No.1241/2017 arising out of Mufasil P.S. Case No.200/15.

(Rakesh Kumar, J)

NKS/-

U		T	
---	--	---	--

