

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24626 of 2018

Arising Out of PS.Case No. -20 Year- 2016 Thana -CHATOUNI District-
EASTCHAMPARAN(MOTIHARI)

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1. Mukhtar Sah @ Mokhtar Sah @ Muktar Sah, son of Late Bhola Sah,
resident of Village- Bada Bariyarpur, P.S.- Chhatauni, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 341/323/324/307/379 of the
Indian Penal Code.

Petitioner is in custody since 25.01.2017.
Allegation against the petitioner is that he caused injury to Ranjeet
Kumar Sah with dagger. The doctor found three injuries on the
person of Ranjeet Kumar Sah including one at the epigastrium
region.

Considering the aforesaid fact, this Court earlier
refused the prayer for bail of the petitioner on 30.06.2017 with



direction to the learned trial Court to conclude the trial within nine months, failing which the petitioner would be at liberty to renew the prayer before the learned Court-below.

The impugned order reveals that the charge could not be framed in the case due to non-production of the petitioner. Thereafter, by order dated 25.04.2018, this Court adjourned the matter for three weeks and verbally directed the petitioner to get the charges framed in the meantime.

Submission is that the case is running in the vacant court. Hence, charges have not been framed upto now.

Considering the entire facts aforesaid, let the petitioner, above named, be released, on bail **after framing of the charge which must be framed within three months from the date of receipt of a copy of this order**, on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Sessions Trial No.966 of 2017, arising out of Chhatauni P.S. Case No.20 of 2016, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

Let the learned District Judge, East Champaran at



Motihari, immediately transfer the records from the vacant Court of 9th Additional Sessions Judge, East Champaran at Motihari, to any functional Court.

(Birendra Kumar, J)

Mkr./-

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