

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6304 of 2024

Arising Out of PS. Case No.-608 Year-2016 Thana- SHASTRINAGAR District- Patna

Md. Vicky @ Vicky @ Md. Azad S/O Md. Sikandar R/O Samanpura, Raja
Bazar, P.S- Shastri Nagar, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Shastri Nagar P.S Case No. 608 of 2016 registered
for the offences punishable under Sections 302/328/34
and of the I.P.C.

3. As per allegation in the FIR, co-accused
Sikander Khan being informant's Bhaisur along with his
family members including this petitioner used to
threaten to kill her husband namely Sitara Khan.
Accused persons had also tried to set her house on fire
and threatened with dire consequences.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that petitioner is innocent. It is also submitted that petitioner is in judicial custody since 27.09.2023.

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

6. On perusal of the FIR, impugned order it appears involvement of petitioner and other co-accused person in this case is on the basis of suspicion. In same nature of case other co-accused person already granted bail by the Co-ordinate Bench of this Court *vide* order 12.09.2023 in Cr. Misc. No. 33612 of 2023. Previously petitioner has already granted anticipatory bail but in time he has not surrendered or arrested within a period of four weeks as directed. Petitioner already surrendered before the concerned court. Other co-accused already granted anticipatory bail. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named



petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM- IX, Patna in connection with Shastri Nagar P.S Case No. 608 of 2016.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the 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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