

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6619 of 2024

Arising Out of PS. Case No.-709 Year-2023 Thana- MANER District- Patna

Raja Kumar S/O Sudarshan Rai Village- Mutukpur, Ps.- Barhara, Dist.
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlesh Prasad Yadav, Adv.

For the Opposite Party/s : Mr.Atul Chandra, APP

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

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with Maner P.S Case No. 709 of 2023 registered for the offences punishable under Sections 147, 148, 149, 447, 307, 386,379, 504, 506, and 120 (B) of the I.P.C and under Sections 25 (1-B)a/26/35/27 of the Arms Act.

3. As per allegation in the FIR, some miscreants were engaged in illegal sand mining and when police reached there they started firing.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case.



He further submits that no specific allegation against the petitioner. Petitioner has no criminal antecedent as stated in para 3 of the petition. It is also submitted that petitioner is in judicial custody since 01.10.2023.

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

6. On perusal of the FIR, impugned order, Seizure list it appears that no recovery was made from the possession of the petitioner and also 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 Judicial Magistrate- 1st Class, Danapur in connection with Maner P.S Case No. 709 of 2023.

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