

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10228 of 2024

Arising Out of PS. Case No.-144 Year-2023 Thana- BIDUPUR District- Vaishali

Deepak Kumar, Male, aged about 34 years, S/O- Late Dinesh Rai R/O-
Village/Mohalla- Nanhak Chak, P.S.- Bidupur, Dist.- Vaishali, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR , PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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

ORAL ORDER

2 26-02-2024 Heard learned counsel appearing on behalf of the
parties.

2. The petitioner seeks bail in connection with
Bidupur P.S. Case No. 144 of 2023 registered for the offence
punishable under Sections 399, 402, 413, 414, 467, 468, 471
and 120(B) of the Indian Penal Code and Sections 25(1-b) a, 26
and 35 of the Arms Act.

3. As per FIR, one country made pistol was
recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in this case. He next submits that no specific overt-
act has been attributed against the petitioner and no



incriminating material has been recovered from his possession and petitioner is in custody since 08.03.2023. He next submits that similarly situated co-accused has already been granted bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 50287 of 2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and similarly situated co-accused persons have already been granted bail, let the petitioner, above named, is directed to be released on bail ***after framing of the charge*** in connection with Sessions Trial No. 521 of 2023 arising out of Bidupur P.S. Case No.144 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Vaishali at Hajipur.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (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 furnishing bail bond with further condition



that the petitioner have to 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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