

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9917 of 2024

Arising Out of PS. Case No.-345 Year-2023 Thana- PARBATTa District- Khagaria

Rajan Kunwar @ Ranjan Kunwar, Aged about 28 years (Male), S/O Dayaram Kunwar, Resident of Village- Srirampur Thutthi, P.S.-Parbatta, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 17-05-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Parbatta P.S. Case No. 345 of 2023 instituted for the offences punishable under Section 394 of the Indian Penal Code.

3. As per the prosecution case, when the informant was returning after photoshoot from Aguni then three persons on a motorcycle came and asked informant to click their photo. Thereafter, while the informant was sharing the photo with them name appeared as Vishvakarma. When the informant asked for money for the photoshoot accused persons refused him to pay and assaulted him. Thereafter, they looted his camera on the point of gun.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to local party politics. Petitioner is not named in the F.I.R. rather his name come during the course of investigation only on the basis of confessional statement of other co-accused namely, Bishwakarma Kumar. Neither anything has been recovered from the possession or house of the petitioner nor he has been put on T.I.P. till date. Similarly situated co-accused namely, Bittu Kumar @ Bittu Singh @ Kare Singh has already been granted bail by this Court vide order dated 20.04.2024 passed in Cr. Misc. No. 27463 of 2024. Moreover, he is languishing in judicial custody since 03.10.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. On perusal of the F.I.R., impugned order and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Khagaria in connection with Parbatta P.S.



Case No.345 of 2023.

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 petitioner shall be released on bail on 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. Further, petitioner shall co-operate in the trial and shall be present on each and every date fixed by the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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