

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10989 of 2024

Arising Out of PS. Case No.-538 Year-2022 Thana- KATIHAR NAGAR District- Katihar

1. Ratan Paswan @ Ratan Kumar Paswan Son of Kanhaiya Paswan Resident of Mohalla- Driver Tola, P.S. and District- Katihar
2. Bhaiya Ram Paswan Son of Late Nawal Kishore Paswan Resident of Mohalla- Driver Tola, P.S. and District- Katihar
3. Deepak Kumar Son of Late Prakash Ram Resident of Mohalla- Driver Tola, P.S. and District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	: Mr. Rajendra Naraian, Sr. Advocate
	: Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s	: Mr. Rabindra Kumar, APP
For the Informant	: Mrs. Vaishnavi Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in a case registered for the offence under Sections 147, 148, 149, 341, 323, 307, 326, 504, 302 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, 15-20 unknown persons brutally assaulted the informant as also one Pappu Singh. It is further alleged that accused persons with intention to kill Pappu Singh and informant fired upon them due to which they



fell down.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. He next submits that petitioners are neither named in the first information report nor put on test identification parade or any incriminating article have been recovered from the possession of the petitioners. He next submits that similarly situated co-accused persons have been granted bail by this Court passed in Cr. Misc. Nos. 76546 of 2023, 23513 of 2023 and 23898 of 2023. Petitioners are in custody since 08.01.2024.

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

6. Considering the facts and circumstances of the case, let the petitioners, above named, be directed to be released on bail *after framing of the charge* in connection with Katihar (T) P.S. Case No.538 of 2022 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Katihar.

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 petitioners shall be released on bail on furnishing bail bond with further condition that the petitioners 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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