

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12919 of 2024

Arising Out of PS. Case No.-290 Year-2021 Thana- BASANTPUR District- Siwan

Rahul Singh, aged about 29 years (M) Son of Vijendra Singh Resident of Village- Rukundipur, P.S.- Daraunda, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 29-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Basantpur P.S. Case No. 290 of 2021 registered for an offence punishable under Section 397 of the IPC and Section 27 of the Arms Act.

3. As per prosecution case, when the informant was at his shop, in the meantime, six unknown miscreants came there and looted several articles from his shop during course of dacoity, the accused persons shot fired upon the son of the informant.

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



mechanism. He next submits that the petitioner is not named in the FIR and petitioner has not put on test identification parade. He next submits that similarly situated co-accused persons have been granted bail by a Co-ordinate Benches of this Court passed in Cr. Misc. Nos.58200 of 2022 and 11070 of 2023 respectively. Petitioner is in custody since 07.02.2022.

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

6. Considering the facts and circumstances of the case as well as the fact that similarly situated co-accused persons have already been granted bail by a Co-ordinate Benches of this Court, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri Ajay Kumar Mishra, Judicial Magistrate, Siwan in connection with Basantpur P.S. Case no. 290 of 2021.

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 peti-



tioner 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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