

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11947 of 2024

Arising Out of PS. Case No.-86 Year-2022 Thana- LAKHNAUR District- Madhubani

Mithun Paswan, aged about 27 years, Gender-Male, S/O Sigul Paswan R/O Village- Belmohan, PS.- Phulparas, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hriday Narayan Harshit, Advocate
For the Opposite Party/s	:	Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Lakhnour P.S. Case No. 86 of 2022 registered for an offence punishable under Section 392 of the Indian Penal Code.

3. As per allegation in the FIR, four persons barged into house of the informant and snatched gold silver and cash of Rs.20,000/-

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He submits that the name of the petitioner surfaced on the basis of confessional statement of co-accused Sigul Pawan and no test identification parade has been held till today. Petitioner is in custody since 05.07.2023.



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

6. From perusal of the first information report and impugned order dated 06.11.2023, it appears that the petitioner is not named in the FIR and he was not arrested at the spot and there is no recovery from the conscious possession of the petitioner, in these circumstances, I am inclined to grant bail to the petitioner. The prayer for bail of the petitioner is hereby allowed.

7. Accordingly, let the above named petitioner be released on bail ***after framing of the chargesheet*** on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Jharkhandpur, District- Madhubani in connection with Lakhnour P.S. Case No. 86 of 2022.

8. 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 trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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