

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11812 of 2024

Arising Out of PS. Case No.-105 Year-2023 Thana- UCHKAGAON District- Gopalganj

Vivek Kumar Son of Sri Vishram Manjhi Resident of village Chhotka Sankhe
PS uchakagaon District Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmveer Jha, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for an offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. As per allegation in the FIR, informant states that her husband on being called went with the co-accused Meghu Mahto and later on informed on telephone that he is with the said co-accused and would return. Subsequently, he was discovered by her brother-in-law (Dewar) in an injured condition. On being taken to the hospital, he was declared dead by the doctor. The informant states that she is convinced that some persons including the said co-accused have stabbed him to



death.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and the name of this petitioner transpired by confessional statement of FIR named co-accused Meghu Mahto who has been granted bail by this Court in Cr. Misc. No. 76199 of 2023 and petitioner is not named in the FIR, he has got clean antecedent as stated in para-3 of the petition and he is in custody since 25.06.2023.

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

6. Considering the aforesaid facts and circumstances of the case, 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 learned Additional Sessions Judge-III, Gopalganj in connection with Uchkagaon P.S Case No. 105 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.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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