

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13246 of 2024

Arising Out of PS. Case No.-1101 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Das Nagesh @ Das Ganesh @ Das Nageswar Das, aged about 36 years, S/O-
Das Narayan, R/O- Village- Narayanpur, P.S.- Aska, Dist.- Ganjam (Orrisa)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anup Pandey, Advocate
For the Opposite Party/s	:	Mr. Shantanu Kumar, APP

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

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
K.Hat P.S. (Madhubani) Case No.1101 of 2023 registered for
the offence under Sections 399, 402, 379, 411, 413, 467, 468,
471 and 420 of the Indian Penal Code and Sections 25(1-b)a,
26 and 35 of the Arms Act.

3. As per the prosecution case, it is a case of re-
covery of one mobile phone from the possession of the peti-
tioner.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has falsely been implicated in
this case and no incriminating article has been recovered from



the conscious possession of the petitioner which is apparent from the seizure list and petitioner is livelihood at Murgi farm of the co-accused Karan Sinha as stated in para-8 of the petition. He next submits that no recovery of alleged fire arm and ammunition from the possession of the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the petition and he is in custody since 29.09.2023.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with K.Hat (Madhubani) P.S. Case No.1101 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnia.

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 petitioner 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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