

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15387 of 2024

Arising Out of PS. Case No.-709 Year-2023 Thana- MANER District- Patna

Sanjay Ram @ Sanjay Paswan, aged about 58 years, Gender-Male Son of Late Sukar Paswan, Resident of Village- Pakaria, P.S. Akodhi Gola, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Maner PS Case No. 709 of 2023 instituted for the offences punishable under Sections 307, 386, 379, 504, 506, 120(B), 447, 147, 148, 149 of the Indian Penal Code and Sections 25(1-B)a, 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, some miscreants were engaged in illegal sand mining and when police reached there they started firing.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case merely on the basis of mere suspicion. He further submits that there is general and omnibus



allegation of illegal mining of sand against the petitioner. One mobile phone has been recovered from the possession of the petitioner. Petitioner is in custody since 02.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-1st Danapur, Patna dated 09.01.2024, it appears that during investigation no cogent material has come against the petitioner during investigation and he has been made accused on the basis of suspicion. Similarly situated co-accused namely, Raja Kumar has been granted bail by this Court in Cr. Misc. No.6619 of 2024 vide order dated 17.02.2024, accordingly the prayer for bail of the petitioner is allowed. 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 the learned Judicial Magistrate-1st Class, Danapur, Patna in connection with Maner PS Case No. 709 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)

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