

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19966 of 2024

Arising Out of PS. Case No.-219 Year-2023 Thana- JANTA BAZAR District- Saran

Uma Singh, Male, aged about 51 years, Son of Late Asarfi Singh Resident of village Badaki Semari, P.S. Mashrakh, District Saran at Chhapra

... .. Petitioner/s

Versus

State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-03-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Janta Bazar P.S. Case No.219 of 2023 registered for the offence under Sections 414/34 of the Indian Penal Code and Section 37 of the Bihar Prohibition and Excise Act.

3. Allegation against the petitioner is to have in drunken condition and recovered a stolen motorcycles and a mobile.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that petitioner was not in drunken condition and he has no concern with the alleged



motorcycle and it belonged to the co-accused, where, he took lift to reach his village. It is further submitted that nothing incriminating has been recovered from the possession of the petitioner, which may connect him with the present set of occurrence and as the mobile recovery from possession of this petitioner is belong to himself only. It is further submitted that petitioner is in custody since 28.12.2023.

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, ***after framing of the charge***, in connection with Janta Bazar P.S. Case No.219 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 3rd Exclusive Special Excise Court, Saran at Chhapra.

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)

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