

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19592 of 2024

Arising Out of PS. Case No.-377 Year-2023 Thana- DUMRA District- Sitamarhi

=====

Dinesh Mahto Son of Nagendra Mahto Resident of Village- Lagma, Ward
No.11, P.S.- Dumra, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

=====

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

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Dumra P.S Case No. 377 of 2023 registered for the
offences punishable under Sections 394 of the I.P.C. &
27 of the Arms Act.

3. As per prosecution case, two miscreants
have looted Rs. 20,000/-, mobile with SIM and a bag
containing cash Rs. 40,000/-, documents, on gun point
and on protest also fired on one Munna Kumar Thakur
causing injury in his left arm.

4. Learned counsel for the petitioner submits



that petitioner has falsely been implicated in this case and nothing has been recovered from the petitioner. It is further submitted that petitioner is not named in FIR and name of the petitioner surfaced from the confessional statement of the co-accused. It is next submitted that no TIP conducted during the course of the investigation. It is also submitted that petitioner is in judicial custody since 06.10.2023..

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sitamarhi in connection with Dumra P.S Case No. 377 of 2023.



7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the 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. Further, Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the trial court till conclusion of the trial.

(Ramesh Chand Malviya, J)

Mayank/-

U			
---	--	--	--

