

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18785 of 2024

Arising Out of PS. Case No.-242 Year-2017 Thana- PHULPARAS District- Madhubani

Sanjay Yadav @ Sanjay Kumar Yadav, aged about 32 years, Male, S/O-
Rajendra Yadav R/O- Village- Navtole, P.S.- Phulparas, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

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

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

ORAL ORDER

2 21-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody registered for the offence under Sections 448, 147, 148, 149, 302, 307 and 120(B) of the Indian Penal Code and Sections 27, 25(1-b)a, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, it is a case of snatching of one mobile and money by the accused persons.

4. Learned counsel for the petitioner has submitted that petitioner has falsely been implicated in this case. He next submits that similarly situated co-accused persons have already been granted bail by different Benches of this Court and no specific allegation of overt-act against the petitioner and specific allegation is against Promod Yadav who shot fired upon the deceased. Petitioner is in custody since 19.08.2023.



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

6. Under the aforesaid facts and circumstances, let the petitioner, above named, be directed to be released on bail *after framing of the charge* in connection with Phulparas P.S. Case No.242 of 2017 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-Ist, Jhanjharpur, District- Madhubani.

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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