

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30511 of 2024

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

Suresh Das SON OF GANESH DAS RESIDENT OF VILLAGE-
NARAYANPUR, PS- ASKA, DIST- GANJAM , ORRISA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anup Pandey

For the Opposite Party/s : Mr.Rajiv Nayan

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

ORAL ORDER

2 19-04-2024 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
recovery of loaded country made pistol, live cartridges, mobile,
etc. from the possession of the petitioner and other co-accused
persons.

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. He next submits that no recovery of alleged fire arm and ammunition from the possession of the petitioner. It is submitted that similarly situated co-accused persons have already been granted bail by this Court through Cr. Misc. Nos.13246 of 2024, 14924 of 2024 on 11.03.2024 and Cr. Misc. No.13436 of 2024 on 12.03.2024. Petitioner 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)

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