

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34292 of 2024

Arising Out of PS. Case No.-229 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

Dilip Sahni son of Godan Sahni Resident of village- Chandwara,
Chhitbhagwatipur Sahni Tola, P.S.- Ahiyapur, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Brahmpura PS Case No. 229 of 2023 instituted for the offences
punishable under Sections 401, 411, 413 and 414 of the Indian
Penal Code.

3. As per the prosecution case, the informant states
that in course of checking, the accused persons who were on
two motorcycles made an attempt to escape. Some of them fell
down as a result of which some of the accused persons were
caught while others managed to escape.

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. There is no any recovery
from the conscious possession of the petitioner. Petitioner has



no concern with the seized motorcycle. Petitioner is in custody since 25.09.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order dated 01.04.2024, it appears that the FIR has been lodged by the informant Md. Alam against seven accused persons for the offences punishable under Sections 401, 411, 413, 414 of the Indian Penal Code. The petitioner is named in the FIR, which has been registered on the basis of written report given by one Md. Alam, SHO Brahampura. There is no any independent witness of the alleged occurrence. Similarly situated co-accused persons namely Md. Jawed @ Mohammad Jawed, has been granted bail by this Court in Cr. Misc. No. 2193 of 2024 vide order dated 20.03.2024, 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, Muzaffarpur East in connection with Brahmpura PS Case No. 229 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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