

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39261 of 2024

Arising Out of PS. Case No.-363 Year-2023 Thana- KISHANGANJ District- Kishanganj

Abhisek Kumar SON OF SHIVCHAND RAY @ SHIVCHANDRA PRASAD
VILLAGE- SUGIDIN, PS- MASHINDUWARA, DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

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

ORAL ORDER

2 12-07-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Kishanganj P.S. Case No.363 of 2023 registered for the offence under Sections 341, 323, 307, 353, 427, 385, 504, 506/34 of the Indian Penal Code and Sections 8/20(b)(ii)(A) of the NDPS Act.

3. Allegation against the petitioner is to have in possession of total 20 grams of Ganja, one mobile, etc. and caused nuisance and damaged the articles of observation home.

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 no specific allegation has been levelled against this petitioner and nothing



has been recovered from conscious physical possession of this petitioner. It is submitted that similarly situated co-accused persons have already been granted bail by this Court through Cr. Misc. No.24637 of 2024 on 15.04.2024. It is further submitted that petitioner is in custody since 18.10.2023.

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 Kishanganj P.S. Case No.363 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 C.J.M., Kishanganj.

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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