

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37988 of 2024

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

1. Mahesh Das Son of Suresh Das Resident of Village - Sarona, Court Peesai ward no.10, P.S.- Sarora, District - Orissa.
2. Umesh Pradhan Son of Potraju Pradhan Resident of Village - Dasmaniya, P.S.- Kalinga Nagar, District - Jajpur, Orissa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Md. Azim Uddin, Advocate
For the State	:	Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioners
and learned APP for the State.

2. The petitioners is in custody in connection with K.Hat (Madhubani T.O.P) P.S. Case No. 1101 of 2023 registered for the offences punishable under Sections 399, 402, 379, 411, 413, 467, 468, 471 and 420 of the Indian Penal Code and under Sections 25(1-b) a, 26 and 35 of the Arms Act.

3. As per prosecution case, it is a case of recovery of mobile phone, arms and ammunition from the possession of the petitioners and co-accused



persons.

4. Learned counsel for the petitioners submits that petitioners is innocent and has falsely been implicated in this case. He further submits that it is apparent from the seizure list that no any incriminating articles recovered from the conscious possession of the petitioners and the petitioners having clean antecedent. He further submits that the petitioners is in custody since 29.09.2023 and other co-accused persons have already been granted bail by this Court vide orders dated 11.03.2024 passed in Cr. Misc. No. 14924 of 2024, 19.04.2024 passed in Cr. Misc. No. 30511 of 2024 and 11.03.2024 passed in Cr. Misc. No. 13246 of 2024.

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

6. On perusal of the First Informant Report, impugned order dated 19.03.2024 and seizure list and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioners, let the above named



petitioners 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 Chief Judicial Magistrate, Purnia in connection with K.Hat (Madhubani) P.S. Case No. 1101 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 petitioners 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.

(Ramesh Chand Malviya, J)

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