

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38070 of 2024

Arising Out of PS. Case No.-376 Year-2023 Thana- EKMA District- Saran

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Bittu Kumar @ Katash S/o Sharwan Mahto R/o vill - Ekma Chatti, P.S. -
Ekma, Dist. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ankur Prakash Sinha
For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 22-05-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Ekma P.S. Case No.376 of 2023 registered for the offence under
Sections 399, 402, 413, 414 of the Indian Penal Code and
Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. Allegation against the petitioner is to have
involved in preparation of commission of crime.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner is not named in



the FIR and his name surfaced on the basis of confessional statement of other co-accused, namely, Sujeet Kushwaha. It is submitted that nothing has been recovered, during course of investigation against this petitioner, which may connect him with the present set of occurrence. It is further submitted that petitioner is in custody since 02.11.2023.

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 Ekma P.S. Case No.376 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 4th Additional Sessions Judge, Saran at Chapra.

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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